

Governor's Haiti Advisory Group

Final Report



Jeb Bush
Governor

April 2005

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**Governor's Haiti Advisory Group
State of Florida**

April 11, 2005

The Honorable Jeb Bush
Office of the Governor
State of Florida
PL-05, The Capitol
400 South Monroe Street
Tallahassee, Florida 32399-0001

Dear Governor Bush:

I am pleased to transmit with this letter a copy of the final report and recommendations of the Governor's Haiti Advisory Group. A stable and more prosperous Haiti is within the best interests of the State of Florida. The welfare of the people of Haiti is also of great concern to the people of Florida, not least of whom are the over 500,000 Haitian-American residents of the State.

During the past six months, the Advisory Group has studied the history of Haiti's current impasse, heard extensive testimony from experts in security, economic development, environment and disaster preparedness. We have listened to extensive testimony from Haitian government officials, the private sector, civil society, various political groups, non-profits, Embassy officials, USAID and the State Department, in Florida and Haiti. We have also heard from concerned citizens at our meetings and conducted our own independent research of published studies and relevant literature. We have incorporated the thoughts and comments of the various stakeholders who addressed our group on this complex issue.

The Advisory Group has taken great care to conform its recommendations to the capabilities of the State of Florida and has incorporated advocacy issues for the federal government.

My fellow Advisory Group members and I are hopeful that this report will make a significant contribution to solving this crisis of the rebuilding of Haiti. We are grateful for the opportunity to serve, and we offer our continued assistance in implementing these recommendations.

Respectfully yours,

A handwritten signature in blue ink, appearing to read "Marie-Florence Siclait Bell".

Marie-Florence Siclait Bell
Chairperson

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Executive Summary

“The Haitian diaspora, including Florida’s Haitian community, may be the greatest hope for the country’s future. The participation of such Haitians will determine how readily their homeland emerges from the problems of the past toward the promise of the future.”

Governor Jeb Bush, “Haiti Looks to Floridians for Help in Rebuilding,” The Tampa Tribune (June 29, 2004).

Florida is home to the largest Haitian-American community in the United States. The members of this community remain deeply concerned over the instability and socio-economic distress that continues to plague the land of their origin. The Republic of Haiti is a proud country that is journeying through a critical time of transition. The success of this transition will be key to the safety and well-being of the Haitian people for years to come. However, Haiti has a challenging road ahead of it, marked by problems that have been generations in the making. It is at this juncture that Haiti needs the help of its friends. As one of its closest neighbors in the Caribbean, the State of Florida and its large Haitian-American community are perfectly positioned to provide Haiti with the assistance and guidance it desperately needs in order to successfully move through transition to the promise of a stable and more prosperous future.

With these truths as guiding principles, Governor Jeb Bush created the “Governor’s Haiti Advisory Group” by Executive Order No. 04-145, on July 14, 2004. The Advisory Group consisted of 17 members, all prominent Haitian-Americans or those with significant experience in Haitian issues. Additionally, Florida’s eight Haitian-American elected officials were appointed as ex-officio members. The Governor tasked the Advisory Group to identify critical needs for Haiti’s successful transition and to assess recommendations for meeting these needs.

To carry out these instructions, the Governor’s Haiti Advisory Group held six primary meetings in South Florida and conducted a short outreach/fact-finding mission to Haiti. Throughout these

meetings, the Advisory Group heard testimony from a number of subject-matter experts with special knowledge or insight into the problems confronting the Caribbean country. These included economic development specialists, Haitian business leaders, environmental specialists, security specialists, current Haitian government officials, representatives of non-governmental organizations (NGO's) operating in Haiti, disaster preparedness specialists, representatives of Haitian political parties, representatives of Haitian civil society groups, former State of Florida officials, and current and former U.S. government officials.

Early in its deliberations, the Advisory Group realized that it would not be possible, nor practical, to explore and address all of Haiti's myriad problems. Therefore, it decided to focus its attention on three major areas of concern for Haiti's current well-being and its prospects for future stability. These included the priority areas of Haiti's 1) Security, 2) Economic Development, and 3) Disaster Preparedness. The identification of these areas was based in large part on the current transitional plans of Haiti's Interim Government and discussions with Haiti's public and private sectors.

With the three priority areas established, the Advisory Group concentrated its efforts on determining the precise nature of some of the major challenges faced by the people of Haiti. Expert testimony, along with staff research, helped the Advisory Group to obtain a clearer image of the many obstacles that Haiti will need to overcome in order to achieve lasting success. The Advisory Group also relied on its members' own long experience with Haiti to provide for a deeper understanding of the Haitian dilemma.

The Advisory Group then turned its attention to creatively determining ways in which the State of Florida, and the Haitian Diaspora residing within the state, could best provide assistance to the Republic of Haiti. To do this, the Advisory Group reached out to the Haitian community at large and accepted suggestions as well as full proposals on possible solutions to problems within the three identified priority areas. Further experts were consulted and all input was carefully considered. The Advisory Group then formulated a set of 25 recommendations to the Governor and the State of Florida. The recommendations span a wide spectrum of problematic issues and are divided into the following categories:

- Comprehensive Recommendations
- Security Recommendations
- Economic Development Recommendations

- Disaster Preparedness/Environmental Rehabilitation Recommendations

Finally, while not formally voted upon, the Advisory Group decided by general consensus to also recommend a number of measures in which the State of Florida may serve as an advocate for Haiti in a number of areas.

Based on the given testimony, information submitted, and the research of staff, the Advisory Group makes the following recommendations on how the State of Florida might best be able to support Haiti's successful reconstruction.

Final Recommendations

Comprehensive

Recommendation 1: As the Governor's Haiti Advisory Group submits its final report, it believes that the work for which it has been tasked has merely just begun and that it is imperative that Florida's efforts to assist Haiti continue. Accordingly, the State of Florida should establish an office or designate an organization to manage an on-going Florida-Haiti Initiative. Through staff coordination and a dedicated website, this office/organization would serve as a clearinghouse to disseminate information concerning the three priority areas that were identified by the Group (Economic Development, Disaster Preparedness, and Security), as well as other areas important to Haiti's reconstruction. The office/organization would also maintain strong relations with Florida's Haitian-American community and would work to carry out other recommendations described in this report.

Recommendation 2: The State of Florida should establish a Florida-Haiti student exchange program, in which Florida students could travel to Haiti for service projects ("Service Learning" and internship credit hours) and Haitian students could travel to Florida with scholarships to study in the public, independent, and community colleges and universities of Florida.

Recommendation 3: The State of Florida should provide resources for the creation of a dedicated Florida-Haiti Professional Exchange and Training Program with the Government of Haiti. This would

allow Florida volunteers, utilizing their vast experience and skills, to travel to Haiti to provide in-country technical assistance/training and for Haitian officials to travel to Florida to receive longer-duration off-site training (in a productive, effective environment). The objective of the professional exchange and training program would be to provide Haitian participants with the knowledge, skills, and resources they need to work more effectively in their respective fields and to build greater capacity within Haitian institutions. Technical assistance/training could be rendered in any number of areas including security, infrastructure development, urban housing projects, disaster preparedness, public health, education/literacy, elections, business development, public administration, environmental protection/conservation, technical trades, etc.

Recommendation 4: The State of Florida should actively promote Haitian Hometown Associations (HTA's) in Florida and Florida sister cities with Haiti, as a vehicle for mobilizing Florida's large Haitian-American Diaspora to accelerate decentralization by assisting in the development of individual towns/areas of Haiti. This promotion of HTA's/Sister Cities could partly be accomplished through the Florida-Haiti clearinghouse office/organization discussed in Recommendation 1.

Security

Recommendation 5: The State of Florida should utilize its great expertise and experience in law enforcement, corrections, and public safety to assist the growth and professionalization of the Haitian National Police (HNP). The State should coordinate its efforts in this area with the United Nations Stabilization Mission in Haiti (MINUSTAH) and the Organization of American States (OAS), which are both currently facilitating police training/development programs in Haiti. Haitian police and corrections officials could possibly travel to Florida to receive advanced professional development training through entities like the Florida Department of Law Enforcement's Criminal Justice Executive Institute. Similarly, police and corrections officials from any number of Florida's state and local law enforcement/corrections agencies could be encouraged to travel to Haiti to serve as on-site technical consultants. The State of Florida should encourage municipalities with large Haitian-American populations to also engage their resources (e.g. Miami-Dade County, City of Miami, etc.).

Recommendation 6: The State of Florida should support and encourage the rendering of technical assistance from Florida for specialized areas of Haiti's security infrastructure. Areas lacking adequate security programs that threaten the free flow of commerce and tourists, such as Haiti's seaport and airport facilities, should receive special attention.

Recommendation 7: The State of Florida should encourage the U.S. federal government to re-examine its policies with respect to bans on non-military weapon and security equipment sales to legitimate Haitian law enforcement entities.

Recommendation 8: The State of Florida should use its extensive past experience with organizing elections to provide technical assistance and support to the Republic of Haiti's Provisional Electoral Council (CEP), as this body prepares the country for national elections in November 2005. Peaceful and uncontested elections should be viewed as imperative for the future security and stability of Haiti. The State should utilize the Florida Department of State's Division of Elections and other appropriate organizations to render necessary technical resources. Emphasis should also be placed on working with Haitian-Americans in Florida to assist with the upcoming elections (as elections observers, etc.).

Recommendation 9: The State of Florida should sponsor and host National Dialogue and Reconciliation talks in Florida for Haiti's various political parties prior to the national elections set to take place in Haiti in the fall of 2005.

Economic Development

Recommendation 10: In order to assist the Republic of Haiti in the collection of import duties on goods coming from Florida, the State should jointly explore with the Government of Haiti the establishment of a specialized Bilateral Trade Facilitation and Development Agency.

Recommendation 11: The State of Florida should partner with appropriate organizations/agencies in Florida and Haiti (Enterprise Florida, Florida Chamber of Commerce, AmCham Haiti, Chamber of Commerce & Industry of Haiti, etc.) to sponsor a Haiti-Florida

Trade Mission and Matchmaker Fair in which representatives of Haitian businesses can travel to Florida to meet with counterparts. Promotion of investment in Haiti, as well as networking and identification of export opportunities for Haitian products would be primary goals. A second trade mission from Florida to Haiti could follow. As there is a need to enlarge the business sector in Haiti to provide for inclusive capitalism, the State of Florida should also:

- Identify and help facilitate an organization to create a “one-stop shop” for incorporation of business in Haiti to appeal to the Haitian-American Diaspora as potential investors.
- With possible technical assistance from entities such as Enterprise Florida - encourage the Republic of Haiti to liberalize its investment laws, strengthen its laws regarding property rights, and create a viable property records/registry system. Enforcing the Rule of Law should be stressed as a priority. All of this will serve to stimulate greater foreign direct investment into the country.

Recommendation 12: The State of Florida should assist Haiti’s Ministry of Commerce, Industry, & Tourism in its plan to create a targeted tourism marketing campaign to attract Haitian-American residents of Florida to return to their country as tourists in order to rediscover its natural beauty and historical attractions. Entities such as VISIT FLORIDA might be able to provide guidance/assistance in this endeavor.

Recommendation 13: The State of Florida should encourage cruise lines operating in Florida to provide technical assistance/guidance to the Haitian Ministry of Commerce, Industry, & Tourism in the development of various ports-of-call as one of the country’s most viable areas of areas of growth in the tourism sector. Investment in ports-of-call development should also be encouraged.

Recommendation 14: The State of Florida should work with the Florida Congressional Delegation to express the importance of preferential trade agreements like the HERO Act and the HOPE Act (between the United States and Haiti) for job creation and economic development in Haiti’s manufacturing sector.

Recommendation 15: The State of Florida should encourage Florida power companies to assist the Government of Haiti in producing adequate levels of electricity in the cities and rural areas of Haiti.

Disaster Preparedness/Environmental Rehabilitation

Recommendation 16: The State of Florida should employ its well-developed expertise and experience with natural disasters to provide technical assistance to the Republic of Haiti's Directorate of Civil Protection, in order for this agency to develop appropriate disaster management infrastructure and training. Technical training provided through the Florida Division of Emergency Management, as well as appropriate surplus equipment donated from other State and local agencies, could be utilized toward this end. All State of Florida efforts in this area should be coordinated with other public and private entities, which are currently working in Haiti to strengthen the Directorate of Civil Protection.

Recommendation 17: The State of Florida should promote and identify resources for a limited reforestation/watershed stabilization pilot program in Haiti, utilizing new approaches to this continuing problem. Such a pilot program, possibly in partnership with a major Florida research university, should focus on halting erosion on deforested hillsides in areas prone to flooding.

Recommendation 18: The State of Florida should assist and encourage the Republic of Haiti in the development of alternative sources of energy to reduce the demand for wood charcoal. Emphasis could be placed on relatively low-cost and environmentally-friendly alternatives, such as hydroelectric power, wind power, and solar power. Haiti has an abundance of hydroelectric, wind, and solar power potential that could be developed as energy alternatives.

Advocacy Issues

In addition to the formal recommendations above, the Advisory Group also believes that the State of Florida's advocacy for Haiti on the following issues may be of great value:

Recommendation 19: The State of Florida should continually encourage the U.S. federal government and the international community to aggressively engage resources and develop innovative strategies to help the Republic of Haiti address critical problems areas.

Recommendation 20: Through regional forums, The State of Florida should foster dialogue between the governments of Haiti and other countries in the Caribbean to address the problem of wood charcoal exportation from Haiti to areas such as the Bahamas and the Dominican Republic.

Recommendation 21: The State of Florida should encourage the U.S. federal government to re-examine its official travel warning for Haiti, as this warning discourages the flow of both investment and tourism into the country.

Recommendation 22: The State of Florida should encourage the promotion of microcredit in Haiti as a means of providing sustainable economic development for the rural poor.

Recommendation 23: The State of Florida should encourage the Government of Haiti to create an official post for an Inspector General as an independent entity reporting to the President of Haiti, the Prime Minister of Haiti, and the International Donor Community. Implementation of this recommendation would help to ensure good governance in Haiti, in order for the country to meet Millennium Challenge Account (MCA) eligibility guidelines and other international donor standards.

Recommendation 24: The State of Florida should promote the development of a Haitian Conservation Corps to facilitate and maintain reforestation/watershed stabilization projects in Haiti. The development of such a Haitian Conservation Corps could be based on models that have met with much success in other flood-prone areas of the Caribbean and Latin America (e.g. Honduras and Mexico).

Recommendation 25: The State of Florida should encourage the international community, particularly countries utilizing the Napoleonic Code/civil law, to assist Haiti in modernizing and strengthening its judicial system.

Conclusion

The Advisory Group is pleased to provide these recommendations and the following report to the Governor, in the presence of the Prime Minister of Haiti, H.E. Gérard Latortue, on Monday, April 11, 2005 in Miami, Florida.

The Advisory Group urges all interested parties to read this report in its entirety. This will allow the reader to understand the situational context in which these recommendations are being made. It will also provide greater insight into the nature of various challenges currently confronting Haiti.

It is the intention of the Advisory Group that any assistance provided to Haiti through these recommendations should be done in coordination and cooperation with entities currently involved in supporting the country's reconstruction. Working through the United States Government and with the international community, the State of Florida may be able to play a unique and productive role.

The Advisory Group realizes that Florida cannot solve all of Haiti's problems. Yet, as a close neighbor with a large Haitian-American population, Florida is a true stakeholder in Haiti's future. Indeed, it is in the state's best interests to assist Haiti towards greater stability and prosperity. As the Haitian people move through this crucial process of transition, there is no better time for Florida to extend its hand in supportive friendship.

Chapter 1 – INTRODUCTION

“The men and women of the Haitian diaspora have the skills and the perspective required to rebuild their homeland, and they have an understanding of the fundamentals of democracy that can only come from living under a democratic system. Their participation will determine how readily Haiti emerges from the devastation of its past.”

Governor Jeb Bush, “Haiti Needs Our Help Fostering Its Democratic Institutions,” The Washington Post (March 23, 2004).

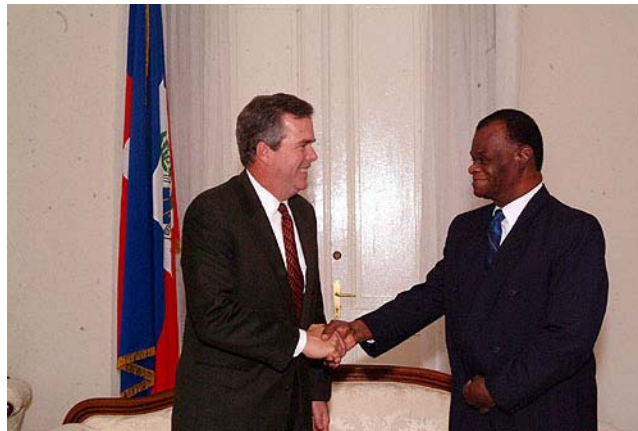
The Governor’s Haiti Advisory Group

On February 29, 2004, a month-long insurrection to depose the President of the Republic of Haiti, Jean-Bertrand Aristide, came to a point of climax when President Aristide resigned and departed the country, just as armed anti-Aristide rebels began to close-in on Haiti’s capital of Port-au-Prince. Years of political gridlock had come to an end. However, the country now faced the new challenge of rebuilding, as armed conflict and extended civil strife had reduced much of Haiti’s struggling infrastructure to ruins.

Then in May of 2004, disastrous flooding along Haiti’s border with the Dominican Republic killed thousands of Haitians and displaced many more. This wide-scale destruction further emphasized the country’s precarious situation and its vulnerability to both natural and man-made disasters.

It was in this setting that Governor Jeb Bush of Florida made his first trip to Haiti on June 16, 2004. Accompanied by Administrator of the U.S. Agency for International Development (USAID) Andrew Natsios and Assistant USAID Administrator for Latin America and the Caribbean, Adolfo Franco, the Governor met with key Haitian government officials, U.S. diplomatic officials, representatives of

non-governmental organizations (NGO's), and representatives of the private sector to get a first-hand view of the challenges confronting the people of Haiti. Governor Bush was moved by the abject need of the country but inspired by the Haitian people's spirit and their determination to build upon their new opportunities for a brighter future.



Governor Bush Meets President Alexandre in Haiti
June 2004

Upon his return to Florida, the Governor called together a number of leaders from Florida's Haitian-American community to discuss the general situation in Haiti and the country's reconstruction efforts. At this meeting on June 28, 2004, Governor Bush announced his intention to create a special commission to forge a formal dialogue between the Government of Haiti and Florida's large Haitian-American community. This commission would also serve to provide recommendations to guide the State of Florida on the most effective ways to render assistance to its Caribbean neighbor during this critical time of transition. The Governor explained that he believes Florida's Haitian-American community and its friends are uniquely positioned to assist and provide guidance for Haiti's reconstruction.

As a result of this meeting, Governor Bush issued Executive Order 04-145 on July 14, 2004 creating the "Governor's Haiti Advisory Group". The Governor tasked the Haiti Advisory Group to perform the following functions:

- Identify critical short-term and long-term needs of Haiti in specified areas;
- Assess recommendations for meeting such critical needs;

- Develop a work plan for supporting volunteers who desire to provide assistance to Haiti;
- Act as an information liaison with Florida's communities as well as local, state, and federal officials, sharing pertinent information on Haiti and U.S./Haiti policy; and
- Act as a clearinghouse for information on initiatives and resources available from the private and public sectors.

Advisory Group Appointments and Process

On September 1, 2004, Governor Bush named 17 members to the Governor's Haiti Advisory Group. The Governor selected these 17 individuals from approximately 150 applicants, based upon their knowledge and expertise on Haitian issues. The following were the 17 members selected:

- **Ms. Marie-Florence Siclait Bell**, of Miami, FL - Chair
Executive Director of
Miami-Dade Land Advisory Board

Marie-Florence Siclait Bell was born in Port-au-Prince, Haiti, on May 18th, Haitian Flag Day. She immigrated to the United States at 2 years of age and spent her formative years in New York City. As a teenager Ms. Bell co-founded Haitian Unified Girls (HUG). While at the University of Miami, she co-founded the Haitian United Student Association. She has resided in Miami since 1980.

Ms. Bell has a long history of public service and has served on numerous civic and community boards. She is currently on the 11th Circuit Court Judicial Nominating Commission. She has been a board member of the Greater Miami Convention and Visitors Bureau; the Society of Haitian American Professionals (SHAPE); Work Force Florida; past Chair of Miami-Dade County Petit Goave (Haiti) Sister City Committee; the Greater Miami Chamber of Commerce; the YMCA; the United Way Project Blue Print; Hands on Miami; Voices United; and One Nation.

Ms. Bell has extensive experience in public/community affairs, including work for two Mayors. She is currently the

Executive Director of Miami-Dade Land Acquisition and Facilities Maintenance Operations Advisory Board that provides oversight to the Miami-Dade County Public School system's operating budget of \$5.5 billion, \$1.5 billion for construction. Ms. Bell is a graduate from the University of Miami, and has studied at the University of Aix-en-Provence, France.

- **Mr. Eddy Bayardelle**, of New York, NY
First Vice President and Head of Global Philanthropy
Merrill Lynch

Eddy Bayardelle is First Vice President at Merrill Lynch & Co., Inc., one of the world's leading financial management and advisory companies. As head of Global Philanthropy, Bayardelle manages \$40 million in annual contributions and directs the firm's philanthropic initiatives worldwide, including fundraising, employee campaigns, volunteerism, and gifts-in-kind. Prior to joining Merrill Lynch, Mr. Bayardelle served as Chief Operating Officer of the United States Committee for UNICEF.

Mr. Bayardelle attended elementary school in Haiti and Africa and high school in New York City. After serving in the U.S. Army, he received his B.A. from Marymount Manhattan College, his M.S. from Bank Street College and his Ph.D. from New York University. Mr. Bayardelle is currently serving as the Chairman of the National Coalition for Haitian Rights.

- **Mr. Jean-Michel G. Caffin**, of Miami, FL
Global Vice President & Head, International Trade Division
Bureau Veritas

Jean-Michel ("Jon") G. Caffin is the Global Vice President & Head, International Trade Division of the 20,000-strong multinational Bureau Veritas ("BV") inspection, certification and risk management agency. He was previously (2000-2004) President & CEO of Bivac North America, a U.S. subsidiary of the BV group. Caffin is a graduate (MA) in International & Development Studies of the University of Toulouse, France and was further educated at Cornell University, UCLA, and INSEAD. He has over 25 years of experience in international affairs, in both business and

governmental sectors, with specific expertise in global trade and sustainable development, including education, shipping, export promotion, investment banking, trade & project finance, and inspection & certification.

A founding member of the Global Growth Companies' advisory board of the World Economic Forum (Davos/ Geneva), Mr. Caffin is also a seasoned development practitioner with extensive experience in interfacing with multilateral aid agencies, such as the World Bank, the IMF, the UN, the IDB, the ADB, UNCTAD, and the WTO, where he has represented Bureau Veritas, as well as previous organizations for which he worked during the past two decades. Mr. Caffin's involvement with Haiti spans many years, entailing a variety of cultural (francophone) and professional activities, the latter in the quality monitoring of international food aid.

- **Rev. Monsignor Franklyn Casale**, of Miami Gardens, FL
President
St. Thomas University

Franklyn M. Casale became president of St. Thomas University on April 1994. Prior to joining St. Thomas University, Msgr. Casale was the Vicar General of the Archdiocese of Newark, New Jersey. Msgr. Casale's leadership positions in higher education associations include the Presidents Council of Independent Colleges & Universities of Florida; Florida Association of Colleges & Universities; St. John Vianney College Seminary; and Haiti-Tech, an organization that organizes and maintains a vocational/technical school in Haiti, educating over 700 students yearly.

Msgr. Casale is active in a wide range of community organizations and has been a significant presence in Miami since his arrival in 1994. He served on the Board of Governors for the Greater Miami Chamber of Commerce and continues to serve on the Board of Directors for the CarrFour Corporation, an organization that establishes permanent housing for the homeless. His involvement also includes Parkway Regional Medical Center; Catholic Community Foundation; Archdiocese of Miami; Holocaust Documentation & Education Center, Inc.; Music Fest Miami, Inc.

- **Dr. Aldy Castor**, of Weston, FL
Obstetrician-Gynecologist

Aldy Castor is diplomate of the American College of Obstetrics & Gynecology. He is also the founder and president of the Haitian Resource Development Foundation. For the past 25 years, Dr. Castor has focused his efforts on outcome-based programs in Haiti in the fields of health care, education, scientific research, and development of didactic scholastic materials for the teaching of physics, water purification systems for rural populations, and alternative energy adaptable to Haiti. Lately, he has taken a leading role in the U.S. Southern Command Humanitarian Assistance Program (HAP) Haiti Support Group in Disaster Preparedness.

- **Dr. Jessie M. Colin**, of Cooper City, FL
Associate Professor of Nursing and Ph.D. Program Director
Barry University

Jessie Colin received a BSN and MSN at Hunter College in New York in 1974 and 1980 respectively. She received a Ph.D. in Nursing in 2000 from Adelphi University in Garden City, New York. Dr. Colin has devoted her life's work to underserved populations in the United States and in Haiti. She has co-founded the Haitian Health Foundation, an organization that provides health education and health services to Haitians and others in need. Through this grass roots organization and other volunteer work, she has received several grants (a) to educate Self Breast Examination to Haitian women, (b) culturally competent strategies for HIV prevention, and (c) a research fellowship to continue her research on paternalism and its effect on the health of Haitian women and their children.

Dr. Colin has also made significant contributions to the nursing profession. Currently, she is one of three volunteers who serve as consultants in Léogane, Haiti for a new baccalaureate nursing program for which she helped obtain financing through USAID. This much-needed program will have a significant positive and sustained impact on the health of people in Haiti, a nation with a severe nursing shortage. She has also taken her graduate students to Haiti, where they

provided CPR training to 62 nurses and physicians -- training the trainers in CPR, so that they can continue to train others.

- **Commander Gary C. Eugene**, of Miramar, FL
Commander
City of Miami Police Department

Gary C. Eugene was born in Port-au-Prince, Haiti in 1956, and settled in New York City in 1978. He moved to Miami in 1981 and joined the Miami Police Department. Due to his expertise of Haitian culture, Commander Eugene was transferred to the detective bureau (Special Investigation Section) in February 1986 after the departure of Jean-Claude Duvalier to work as a “liaison” between the Miami Police Department and the Haitian community at large. He stayed in that unit until 1994 when he was promoted to the rank of Sergeant. Commander Eugene was promoted to Lieutenant in 1996 and to Captain in 1998; he was eventually appointed to the rank of Commander in April 2003, becoming the first Haitian-born staff member of the Miami Police Department. Commander Eugene is currently the commander of Little Haiti and Upper Eastside NET Service areas in Miami, Florida.

In 1991 after the exile of then-President Jean Bertrand Aristide, Commander Eugene volunteered his service to the U.S. Coast Guard as a Creole translator; assigned on board different Coast Guard Cutters along the coasts of Haiti, Commander Eugene successfully participated in the rescue of thousands of Haitian immigrants during a 7-month period.

- **Mr. Adolfo A. Franco**, of Alexandria, VA
Assistant Administrator for Latin America and the Caribbean
U.S. Agency for International Development (USAID)

Adolfo A. Franco is the Assistant Administrator of USAID’s Bureau for Latin America and the Caribbean and is responsible for the direction and supervision of the Bureau’s operating budget of over \$800 million and its overseas operation. Mr. Franco previously served as majority counsel on the U.S. House of Representatives’ International Relations Committee, as well as President and General Counsel of the Inter-American Foundation, an independent government agency dedicated to the promotion of grassroots

development throughout the Western Hemisphere. Mr. Franco has a bachelor's and a master's degree in history from the University of Northern Iowa and a law degree from Creighton University School of Law.

- **Mr. Adam M. Goldstein**, of Coral Gables, FL
President
Royal Caribbean International

Adam M. Goldstein, has served in various senior positions at Royal Caribbean Cruises Ltd., since 1988. Beginning in 1999, his responsibilities have included the operation of Labadee, the company's private destination on the north coast of Haiti near Cap Haitien. Approximately 450,000 Royal Caribbean guests visit Labadee each year as a port of call on Eastern or Western Caribbean cruise vacations. The company has made substantial infrastructure investments in Labadee over the last 20 years and will bring the largest cruise ship in the world, Freedom of the Seas, to Labadee on a weekly basis beginning in June 2006.

- **Mr. Ghislain Gouraige, Jr.**, of Miami, FL
Senior Vice President
Bank of America Private Bank

Ghislain Gouraige, Jr. is a Senior Vice President and Private Client Advisor in Bank of America's Private Bank and Wealth Investment Management Division. In that capacity, he serves as a private banker and investment advisor to High Net Worth Individuals, Endowments, and Foundations. He has been designated as the point person with regard to Bank of America's activities with the Haitian community in Miami-Dade County. Mr. Gouraige has long been active in the Haitian Community and in addition to serving on the Governor's Haiti Advisory Group, has served as the co-chair of the Greater Miami Chamber of Commerce's Haiti Committee. He has served as a board member of the Brothers of the Good Shepherd Haiti and was a founding member of the Haiti Foundation. He also contributes articles about Haitian history for the *Haitian Times*.

Mr. Gouraige received an Honors B.A. in Political Science from the University of Pennsylvania in 1980 and a Juris

Doctor from Harvard Law School in 1984. Mr. Gouraige was born in Port-au-Prince Haiti where he spent his early childhood. He is fluent in French, Spanish, and Creole.

- **Mr. Francois Leconte**, of Miami, FL
President and Chief Executive Officer
Minority Development and Empowerment, Inc.

Francois Leconte came to the United States 15 years ago from Haiti. He attended Florida International University and earned a Bachelors Degree in Economics. In 1996, realizing that there were few social services catering to Haitian immigrants and keenly aware of the language and cultural barriers that this population has had to face, he founded Minority Development & Empowerment, Inc., a community based, not-for-profit organization that provides culturally competent services to the minority population in Broward County. The Agency's primary goal is to empower the unempowered so they can become self-sufficient and productive citizens. Mr. Leconte has forged strong partnerships with the private, as well as public sectors, allowing Haitians to have access to various forums within the community.

He is a member of the Broward County Refugee Task Force, a group that assesses the needs of refugee populations, and provides recommendations on how to best serve them. In addition, he is also a member of the Executive Committee of the United Way. He was recently elected Vice Chairman of Broward County HIV Service Planning Council, which assesses the needs of the HIV/AIDS population in Broward County and allocates funding to address those needs.

- **Mr. Francis J. Mitchell**, of Miami, FL
Assistant Director
City of Miami Public Works Department

Francis J. Mitchell was born in Port-au-Prince in 1960. His father, Winchell Mitchell, is a well-known engineer from Petit-Goave, and his mother, Claudette Craan, is from Jacmel. Mr. Mitchell's early years were spent first in Gonaives, then in Jacmel. In 1966, he moved to Port-au-Prince and attended both primary and secondary school at Saint Louis de Conzague. Following high school, he briefly

attended the Engineering Faculty in Haiti, before moving to the U.S., where he continued his education at the University of Miami. Mr. Mitchell graduated from the University of Miami School of Engineering in 1987 with a Master's degree in Environmental Engineering and Water Resources.

- **Dr. Rudolph G. Moise**, of Miami, FL
President and Chief Executive Officer
Comprehensive Health Center, Inc.

Rudolph Moise is a Haitian-American Family Physician in North Miami. Dr. Moise is the President and CEO of Comprehensive Health Center, Inc. He also serves as the Medical Director and Shareholder for Miami-Dade Ambulance Services and Associate Medical Director and Shareholder of Phytrust of Florida. Dr. Moise is a Flight Surgeon and Lieutenant Colonel for the U.S. Air Force Reserve. He is the President of the University of Miami Alumni Association, Member of the University of Miami Board of Trustees, and Member of the Greater Miami Chamber of Commerce. Dr. Moise received his Medical Degree from the Chicago College of Osteopathic Medicine as well as an M.B.A and J. D. from the University of Miami.

- **Ms. Sagine T. Morgan**, of Boca Raton, FL
Real Estate Agent
Keyes Realty

Sagine T. Morgan was born and raised in Port-au-Prince, Haiti. She left Haiti in 1982 for university studies in Florida. Ms. Morgan earned a B.S. degree in 1986 from Florida Southern College and an MBA in 2003 from Nova Southeastern University. She has worked in the fields of retail, banking, and investments. Since 1995, Ms. Morgan has worked as a licensed realtor in Boca Raton, FL.

- **Mr. Dumarsais “Dumas” Siméus**, of Southlake, Texas
Chairman and Chief Executive Officer
Siméus Foods International, Inc.

Dumas M. Siméus is the Chairman and founder of Siméus Foods International, Inc., a business he formed by successfully completing two leveraged buyouts in 1996 and

1998. Siméus Foods is now a food processing operation approaching \$100M in revenues with facilities in Texas and North Carolina, and customers throughout the United States. Siméus Foods is the largest black-owned food processing company in the United States and the largest black-owned business in Texas. Prior to founding Siméus Foods, he was President of TLC Beatrice Foods, a \$2 billion multinational corporation with operations in 25 countries. Mr. Siméus earned a degree in Electrical Engineering from Howard University and an MBA in Finance from the University of Chicago.

Active in the community-at-large, Mr. Siméus serves as a board member in several organizations that help his homeland, Haiti, including PromoCapital, the first investment banking firm in Haiti, and RepresentAction, a newly-formed organization designed to bring economic and social change to this struggling country. He has also served as an advisor to the U.S. Ambassador to Haiti. Born into extreme poverty to parents who did not have the opportunity to receive an education, Mr. Siméus believes that success is a moving target and that the most important ingredient to the equation of success is giving back. As such, he established The Siméus Foundation (TSF) in 1999 to help the less fortunate in the U.S. and Haiti. TSF operates a full-time medical clinic in the Haitian village where Mr. Siméus was born, and has initiated a project to provide clean water to the 30,000 residents in the community.

- **Ms. Guilène F. Theodore**, of Tampa, FL
Attorney
Ruden McCloskey, P.A.

Guilène Theodore was born in Port-au-Prince, Haiti and has lived in the United States since 1966. She has maintained her ties to Haiti through her involvement with the Haitian community in the Tampa Bay area. She is president of the Haitian Association Foundation of Tampa Bay, Inc., and has been actively involved in that organization since its inception in 1986, holding numerous positions of leadership throughout the years.

- **Bishop Thomas G. Wenski**, of Altamonte Springs, FL
Bishop
Catholic Diocese of Orlando

Thomas Wenski is the Bishop of the Roman Catholic Diocese of Orlando. In 1979, after briefly ministering in Haiti, he was assigned to the newly established Haitian Apostolate of the Archdiocese. He was associate director and then director of the Pierre Toussaint Haitian Catholic Center in Miami from that time to his appointment as a Bishop in 1997. The Pierre Toussaint Haitian Catholic Center in addition to providing for the pastoral and spiritual needs of the Haitian communities of South Florida also provided numerous social, educational and legal services to newly arrived Haitian immigrants. He also served concurrently as pastor of three Haitian mission parishes in the Archdiocese—Notre-Dame d’Haiti in Miami, Divine Mercy in Fort Lauderdale, and St. Josephin Pompano Beach.

Through the 1980’s he also conducted a circuit-riding ministry that led him to help establish Haitian Catholic communities from Homestead in the south to Fort Pierce to the north, Immokalee to the West and Fort Lauderdale to the east. In the early 1980’s his outreach to Haitians led him to preach in migrant camps near Lake Wales and Winter Haven. Bishop Wenski speaks Haitian Creole and Spanish fluently and preaches and celebrates mass regularly in both languages.

The following Haitian-American elected officials in Florida were also appointed as Ex-Officio members of the Advisory Group:

- **Hon. Philip Brutus**
Florida State Representative
District 108
- **Hon. Yolly Roberson**
Florida State Representative
District 104
- **Hon. Fred Seraphin**
Judge
Miami-Dade County Court

- **Hon. Joe Celestin**
Mayor
City of North Miami
- **Hon. Jacques Despinosse**
Council Member
City of North Miami
- **Hon. Jean Monestime**
Council Member
City of North Miami
- **Hon. Philip DeRose**
Council Member
City of North Miami Beach
- **Hon. Mariette Saintvil**
Council Member
Village of El Portal

From October 2004 through February 2005, the Advisory Group held a number of public meetings in South Florida to discuss on-going problematic situations in Haiti and ways in which the State of Florida might be able to provide assistance for the country's reconstruction. The Advisory Group also heard testimony from a great number of experts who possessed special insight into specific problem-areas for Haiti's development. These included economic development specialists, Haitian business leaders, environmental specialists, security specialists, current Haitian government officials, representatives of NGO's operating in Haiti, disaster preparedness specialists, representatives of Haitian political parties, representatives of Haitian civil society groups, former State of Florida officials, and current and former U.S. government officials. At the public meetings, the Advisory Group also heard testimony from individual Haitian-Americans and groups who desire involvement in Florida's initiative to help Haiti.

The Advisory Group met on the following occasions:

- October 4, 2004 Coral Gables
- November 5, 2004 Coral Gables
- December 10, 2004 Coral Gables
- January 28, 2005 Coral Gables
- February 11, 2005 Coral Gables
- February 25, 2005 Coral Gables

These meetings were designed to provide the Advisory Group with detailed information on the exact nature of various problems in Haiti as well as possible solutions to these problems. In addition, the Advisory Group undertook a comprehensive review of published studies, relevant literature on Haiti, and specific international development proposals from interested parties.

A small delegation (5 members) of the Advisory Group also traveled to Haiti on January 13-16, 2005 to make direct assessments of various problems. In Haiti, the delegation met with a great number of representatives from the Haitian government, political parties, civil society groups, NGO's, and private sector entities who were otherwise unable to travel to Florida to meet with the full Advisory Group. The delegation reported and discussed its findings with the other Advisory Group members at the January 28th meeting.

Advisory Group Overview

The Advisory Group members, all with extensive knowledge of Haiti and its problems, reviewed past assistance provided by the State of Florida and the international community for the development of Haiti. In its first meeting of October 4, 2004, the Advisory Group recognized that Haiti is afflicted with a myriad of problems from a number of different areas. It decided by unanimous vote that if the Advisory Group were going to provide an accurate representation of Haiti's critical needs as well as make solid recommendations on those needs in a timely fashion, it would be

necessary for the Advisory Group to focus its attention on no more than three major problem areas for Haiti's development.

After this first meeting, individual members of the Advisory Group undertook a careful review of the Government of Haiti's *Interim Cooperation Framework 2004-2006 Summary Report*. This document, which the interim government developed with substantial assistance from the international community (the United Nations, the World Bank, the Inter-American Development Bank, and the European Commission), lays a blueprint for how the Government of Haiti plans to move the country forward through reconstruction and transition until a new, elected government takes power in February 2006. The *Interim Cooperation Framework Summary Report* identifies four Strategic Axes around which the government's reconstruction/transition strategy would revolve. Advisory Group members took special notice of Axis 1 within the report, which named "Security, police and demobilization, disarmament and reintegration (DDR)" as a top priority. Also of great interest was Axis 3 – "Promote Economic Development," and one of its subcomponents: "Environmental Protection and Rehabilitation." This last unit had particular relevance in the aftermath of further disastrous flooding in northwest Haiti (in September), which was greatly aggravated by extreme environmental degradation.

At the second meeting of the Advisory Group on November 5, 2004, the Advisory Group heard testimony from Haiti's Prime Minister, Gérard Latortue, as well as key representatives from Haiti's private sector. The Group wanted to make certain that its course of deliberation was consistent with the goals and aspirations of the Haitian people. With this input from Haiti's public and private sectors, along with serious consideration by individual Group members on the priorities identified in the Government of Haiti's *Interim Cooperation Framework Summary Report*, the Advisory Group voted to focus its attention on identifying needs and making recommendations for the State of Florida in the following problem areas:

- Security
- Economic Development
- Disaster Preparedness (to include Environmental Rehabilitation)

Subsequent meetings were organized to individually explore each of these areas in great detail. The Advisory Group then made final

deliberations and voted on its recommendations to the Governor at the February 25th meeting.

Chapter 2 of this report provides a discussion of the Advisory Group's set of comprehensive recommendations – those recommendations which touched on all three priority/problem areas. Chapters 3 – 9 discuss the Advisory Group's findings regarding each of the problem areas (listed above) and possible solutions to specific challenges. Finally, Chapter 10 provides the Advisory Group's final recommendations to the Governor and the State of Florida.

In addition to this report, the Advisory Group is submitting to the Governor numerous volumes containing reports, presentations, proposals, letters, and testimony received by the Advisory Group. Some audio and video recordings of Advisory Group meetings and the exploratory mission to Haiti are also included.

Chapter 2 – A Comprehensive Approach

“The largest export to Haiti tends to be remittances sent back to the country. But people now have a chance to provide support in equally meaningful ways, by their talents.”

Governor Jeb Bush, Address to the Governor’s Haiti Advisory Group, (November 5, 2004).

Introduction

Throughout the process of deliberating upon the three priority/problem areas of Security, Economic Development, and Disaster Preparedness, the Governor’s Haiti Advisory Group began to realize that there were some things that the State of Florida could do to assist Haiti which would touch upon all of the priority areas. Such overarching ideas also had the potential to create mechanisms whereby other recommendations could be implemented. Therefore, the Group decided that, aside from the area-specific recommendations in Security, Economic Development, and Disaster Preparedness, it would also suggest a number of comprehensive recommendations that would enable the State of Florida to provide the most effective assistance for its neighbors in Haiti.

Comprehensive Recommendations

Florida-Haiti Clearinghouse

Recommendation 1: As the Governor’s Haiti Advisory Group submits its final report, it believes that the work for which it has been tasked has merely just begun and that it is imperative that Florida’s efforts to assist Haiti continue. Accordingly, the State of

Florida should establish an office or designate an organization to manage an on-going Florida-Haiti Initiative. Through staff coordination and a dedicated website, this office/organization would serve as a clearinghouse to disseminate information concerning the three priority areas that were identified by the Group (Economic Development, Disaster Preparedness, and Security), as well as other areas important to Haiti's reconstruction. The office/organization would also maintain strong relations with Florida's Haitian-American community and would work to carry out other recommendations described in this report.

Discussion

The Advisory Group has identified many areas in which it would be beneficial for the State of Florida to promote or encourage certain activities that would lead to positive results in three priority areas for Haiti's reconstruction. Identified during the Advisory Group's deliberations, these priority areas include Security, Economic Development, and Disaster Preparedness. As a comprehensive measure to address all possible solutions within these three areas, the Advisory Group recommends the creation of a State government office or the designation of an existing office or private organization, which would carry on the work begun by the Advisory Group and continually promote the common relationship between Florida and Haiti. This office/organization would serve as both an information clearinghouse and a coordinator of initiatives and resources, in order to manage on-going assistance to Haiti from the State of Florida. The clearinghouse would also provide a self-sustaining and re-generating mechanism to achieve both short and long-term results.

The creation of a Florida-Haiti clearinghouse as an office/organization with a dedicated website and coordinating capabilities could be one of the most far-reaching concepts that Florida could utilize to assist Haiti. While being a good neighbor and friend to Haiti, Florida would also have the opportunity to reap economic, social, and cultural rewards. For example, the relationships fostered by such an organization would benefit Florida's universities, would promote trade and tourism to and from Haiti flowing through Florida's ports, and would, in the long-run, potentially stem the flow of thousands of Haitian refugees desperately attempting to reach Florida's shores.

Many options exist relating to the nature of this Florida-Haiti clearinghouse. The concept could be implemented as an official entity of the State of Florida, possibly a “Haiti Desk” within the Office of the Governor, or as an appendage of the State University System (SUS). The concept could also take the form of a private organization with modest public funding, leveraged with private funds. For instance, it could operate as a new public-private partnership, following so many other successful models existing in Florida for the promotion of the State’s economic interests. Alternatively, the office/organization could serve as a dedicated sub-component of the existing Florida Association for Volunteer Action in the Caribbean and the Americas (FAVACA), which currently provides technical assistance to Haiti and other nations in the Caribbean through the efforts of Florida volunteers.

First and foremost, the clearinghouse would serve to promote awareness of the Advisory Group’s priority areas and to disseminate information concerning these important aspects of Haiti’s development. One tool that could help facilitate this would be a dedicated “Florida-Haiti” website. Besides providing general information on Florida-Haiti issues, the website could serve to support targeted campaigns to assist Haiti’s reconstruction. For example, the website could promote Haitian tourism by encouraging Floridians to visit Haiti, with all of its natural beauty and unique cultural heritage. Similarly, the website could provide information on investing in the country, and the marketing of specialized Haitian export products (e.g. a “Buy Haiti” platform – see Chapter 6 for more detailed discussion of these economic possibilities).

The clearinghouse organization could also serve as a coordinating bridge between different groups and individuals who desire to assist Haiti. For instance, the clearinghouse could link innovative proposals related to Haiti’s reconstruction to available funding needed to implement them; it could gather information on existing resources (human, financial, and natural) and help to coordinate collective efforts to reach more efficient results. Investments in projects benefiting the three priority areas (such as alternative energy development projects; soil erosion prevention/reforestation projects; micro-credit pools, etc.) could also be channeled through the clearinghouse organization. By receiving and screening project proposals for Haiti’s reconstruction, the clearinghouse organization could serve as an on-going source of new ideas for solving problems that the Advisory Group identified as top priorities.

Additionally, the clearinghouse would have the potential to link university research efforts to potential sources of private and public

funding for reconstruction initiatives in Haiti. Significant research opportunities could, in turn, attract prestigious faculty and students to Florida's colleges and universities. And the proximity of Haiti to Florida creates opportunities for students and professors to conduct practicums or field studies in Haiti, where the efforts would bring direct benefits to the population in need.

The clearinghouse concept also has the potential for enhancing the capabilities of Haitian-American organizations, or possibly generating new organizations. For example, the clearinghouse could serve as a resource for Haitian Hometown Associations (HTA's) and/or Florida-Haiti sister city programs (see further discussion below on HTA's and sister cities). It could facilitate the partnering of Florida-based Haitian-American chambers of commerce with chambers of commerce in Haiti and serve to advertise/promote cooperative trade missions between Florida and Haiti (see Chapter 6). The clearinghouse could even encourage the formation of Haitian-American community foundations that could create further linkages between Florida and Haiti.

Ultimately, the clearinghouse could seek to become self-sustaining. While this issue would require further study, the clearinghouse could develop a policy for providing fee-generating and non-fee generating links, thus combining the information-sharing functions with the ability to generate private funding for the continued operation of the organization.

The following listing presents an illustration of the basic functions that could be performed by the clearinghouse discussed above:

- Identify whether similar Haiti-oriented clearinghouses exist and build upon those initiatives rather than duplicating efforts.
- Research, create, and update a database of human resources within Florida which could be utilized to assist Haiti (i.e. from institutions such as Enterprise Florida, Florida colleges and universities, the Florida Department of Law Enforcement and other Florida agencies, FAVACA, professional and technical consultants, etc.). Link human resources to identified needs and coordinate efforts of various groups to facilitate efficient use of resources.
- Research, create, and update a database of financial and other resources which could be utilized to provide Florida-based assistance to Haiti (e.g. grants from the U.S.

Department of Agriculture, the U.S. State Department, USAID, private foundations, etc.). Link financial and other resources to needs.

- Research, create and update a database of existing non-governmental aid organizations (NGO's) that function or could function in the priority areas. Coordinate efforts of NGO's who choose to become part of a network. Facilitate those NGO's working more closely together to avoid duplication of efforts. Develop a strategic plan(s) around which participating NGO's can rally.
- Identify the role of the State of Florida, the role of the U.S. federal government, the role of the private sector, the role of academia, and the role of the Government of Haiti, in all initiatives. Serve as a communication/coordination bridge between all of these entities.
- Promote investment and the utilization of resources for projects geared toward Haiti's reconstruction. Identify what investments are likely to attract the Haitian Diaspora, what types of safeguards the Diaspora and others would need to have in place (financial security) in order to put financial resources behind a project. Identify other models in which countries have been successful in directing funds of a diaspora community.
- Develop an incentive program for investing in projects/initiatives impacting Haiti's reconstruction.
- Accept grant requests and attempt to link these requests to possible funding sources.
- Engage Haitian-American students and other youth in volunteerism as well as research and development efforts for Haiti (e.g. coordinate a "peace corps" type program and other youth exchange opportunities).
- Establish points-of-contact and facilitate networking and information sharing by:
 1. Providing coordination between the efforts of chambers of commerce in Haiti and chambers of Haitian-American business in Florida;

2. Establishing informal linkages with contact persons in the various Haitian ministries responsible for activities within the identified priority areas;
3. Gathering, sorting, and disseminating information about issues related to Haiti's reconstruction and the Advisory Group's recommendations (e.g. current legislation that would impact economic development in Haiti, benefits of vetiver grass in the control of erosion, etc.) to interested persons via the clearinghouse website.
4. Regularly publishing information on accomplishments of the Florida-Haiti Initiative in order to build upon the momentum of small achievements and successes. This will generate excitement for reaching more expansive goals in the future.
5. Promoting a positive image of Haiti in all of the clearinghouse's communications.

A clearinghouse office/organization could be instrumental in maintaining a productive dialogue on Haiti among members of the Haitian Diaspora and anyone interested in Haitian affairs (in Florida and elsewhere). In this way, it could help to sustain a sense of hope for the positive development of the country. The concept of a Florida-Haiti clearinghouse could even serve as a model for future cooperation between Florida and all of its Caribbean and Latin American neighbors.¹

Florida-Haiti Student Exchange Program

Recommendation 2: The State of Florida should establish a Florida-Haiti student exchange program, in which Florida students could travel to Haiti for service projects ("Service Learning" and internship credit hours) and Haitian students could travel to Florida with scholarships to study in the public, independent, and community colleges and universities of Florida.

¹ Preceding Discussion Adapted from a Concept Paper by Ms. Guilène F. Theodore – Member of the Governor's Haiti Advisory Group (Feb. 2005).

Discussion

Florida has arguably one of the best, most-developed systems of higher education in the United States. Comprised of 11 public universities, 28 independent colleges and universities, and 28 community colleges (spread over 52 campuses), the system provides Florida students with a wide range of educational opportunities.² With these resources in mind, many possibilities exist in which the development of Haiti can be promoted through educational exchange.

In fact, some of these opportunities are currently enshrined in Florida law. Through State statute, the Legislature has established a number of “Florida Linkage Institutes”. Their purpose is explained in FS 288.8175:

A primary purpose of these institutes is to assist in the development of stronger economic, cultural, educational, and social ties between this state and strategic foreign countries through the promotion of expanded public and private dialogue on cooperative research and technical assistance activities, increased bilateral commerce, student and faculty exchange, cultural exchange, and the enhancement of language training skills between post-secondary institutions in this state and those of selected foreign countries.³

There are currently 11 Florida Linkage Institutes delineated by statute which link Florida universities and community colleges with appropriate institutions of higher learning in target countries. While there is currently no specified Florida-Haiti linkage institute, the Florida-Caribbean Institute, co-administered by Florida International University and Daytona Beach Community College does focus on some issues related to Haiti. And through the exemptions accorded to all 11 linkage institutes, students from Haiti are eligible for

² Florida Department of Education – Division of Colleges and Universities, “College and University Information” website (http://www.fldcu.org/univ_info/); and Florida State Board of Community Colleges, The Florida Community College System: Strategic Plan for the Millennium 1998-2003, (1999).

³ Section 288.8175(2), Florida Statutes, (2004).

scholarships to study at any Florida public college or university in the form of a waiver of out-of-state tuition rates (a significant savings). Every year, up to 25 students from Caribbean countries (including Haiti) are awarded this scholarship exemption through the Florida-Caribbean Institute.⁴ However, as the Florida-Caribbean Institute works with several countries in the Caribbean (Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Dominican Republic, Grenada, Guyana, Haiti, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, and Trinidad and Tobago), Haitian students must compete with students from all of these countries for the limited 25 tuition-exemption slots.⁵

For more direct educational exchange with Haiti, Florida's poorest and least developed neighbor in the hemisphere, it may be worthwhile for the State of Florida to explore the possibility of creating a specialized Florida-Haiti Linkage Institute within the larger framework of FS 288.8175.

The State of Florida may also wish to explore options for designing a state-wide scholarship program specific to Haitian nationals. Such a program could be based on other state-wide scholarship programs targeting specific groups. For example, one possible model might be the José Martí Scholarship Challenge Grant Fund, which "provides financial assistance to eligible students of Hispanic origin who will attend Florida public or private institutions."⁶

The State of Florida, through the Department of Education, may also wish to encourage individual public universities, private colleges/universities, and community colleges to develop their own unique scholarships which target aspiring students from Haiti. Similar to the law creating the out-of-state tuition waiver through the Linkage Institutes, individual Haitian scholarship programs should require that students return to Haiti after their course of study is completed. This will help in counteracting the "brain drain" phenomenon.⁷

Some models for this type of foreign exchange, scholarship program also exist. For example, in 1997, Florida A & M University created a program providing three Haitian nationals the opportunity to study at the institution's Agronomy School through full scholarships. The

⁴ Id.

⁵ Florida-Caribbean Institute – FIU Latin American and Caribbean Center, "Out of State Tuition Waiver" webpage (http://lacc.fiu.edu/centers_institutes/?body=centers_fci_tuition&rightbody=centers_fci) (March 2005).

⁶ Florida Department of Education – Office of Student Financial Assistance, "Jose Marti Fact Sheet" (2004); and Section 1009.72, Florida Statutes, (2004).

⁷ Section 288.8175(2), Florida Statutes, (2004).

program was an attempt to create educational and training opportunities for Haiti's Ministry of Agriculture, Natural Resources, and Rural Development.⁸

Then there are programs that could be designed by individual educational institutions within the state to provide Florida students with an opportunity to earn academic credits in Haiti while working on service projects. Such a concept, known as "Service Learning," has already been instituted by many Florida schools.

Through discussions with the Advisory Group, certain educational institutions have even expressed interest in designing a two-way exchange program specifically for Haiti. Below is a proposal submitted by Miami-Dade College, which may serve as a model for other Florida schools in their outreach activities toward Haiti:

**MIAMI DADE COLLEGE
CONCEPT FOR
TECHNICAL ASSISTANCE AND SERVICE LEARNING**

March 2005

Overview

Three major areas of concern were identified by the Governor's Haiti Advisory Group. Miami Dade College will provide technical assistance and training relevant and appropriate to each of the three areas targeted by the Governor's Advisory Group.

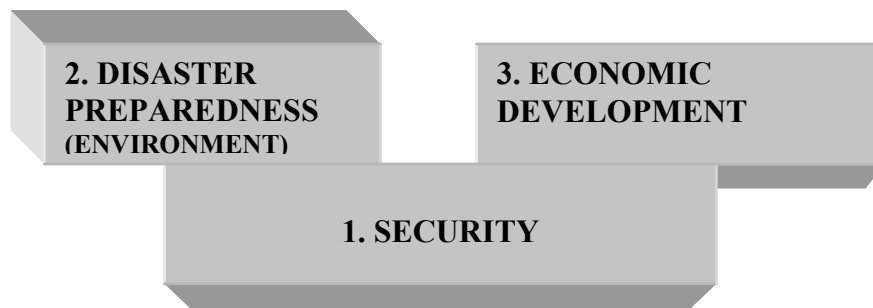
1. Security
2. Economic development
3. Disaster preparedness (and related environmental concerns)

The College will also create a new education abroad experience offering students the opportunity to learn and serve in Haiti in a variety of disciplines. This initiative will benefit Haiti through the humanitarian projects conducted by the students. It will also provide an opportunity for students to connect theoretical concepts to the real world. This educational experience is a very tangible form of public diplomacy. It will help to form a network of

⁸ Florida Association for Volunteer Action in the Caribbean and the Americas (FAVACA), "Florida A & M University Grants Three Scholarships," Communiqué, vol. 1, no. 2 (1996)

Americans and Haitians working together as neighbors to promote democratic values.

Governor's Haiti Advisory Group – Three Primary Areas of Concern



Proposed Role of Miami Dade College

- Technical assistance and training from Miami Dade utilizing “train-the-trainer” models. (Security, Emergency Preparedness, and Economic Development)
- Service learning and internships (Emergency Preparedness and Economic Development)

Historic Alliances – Miami Dade College and the Haitian Community

Miami Dade (MDC) has a long history and connection with Haitian communities. Miami Dade has offered literacy education for speakers of Haitian Creole since 1978. Later in 1979, through a grant from the U.S. Federal Government, MDC collaborated with Haitian community-based organizations to provide acculturation classes, employability training, and access to post-secondary education.

Over the past 25 years, the MDC-Haitian connection has strengthened. The trend is reflected by the more than 4,000 Haitian citizens who currently matriculate at MDC. This is the third highest country representation among international students. The number of students who report Haitian Creole as their first language has increased by more than 300% since 1980 and all of these amazing statistics do not take into account the large number of American

students of Haitian descent who attend the College. There are also two very active Haitian student organizations at MDC.

Many Haitian citizens have served and continue to serve as faculty members, administrators, and staff at the various college campuses. Haitian alumni are important contributors to all phases of community life. Haitian students also hold leadership positions in student government and campus newspapers.

This is a pivotal time in the history of Haiti as it embarks upon a third century as a free nation. Haiti is striving to fulfill its promise to become one of the great democracies of the world. It has been and will continue to shine as a beacon of hope to those nations struggling to establish peaceful and democratic systems of governance all over the globe.

The MDC effort will include an External Advisory Committee of diverse members of our community. The Committee is a representational forum that will include Haitian-Americans, Haitian citizens, African Americans, Hispanics, the business sector, and members of Governor's Advisory Group. The Committee's responsibilities will include:

- Linking the proposed project with established networks of constituencies
- Facilitating communication with all constituencies
- Helping to establish and maintain trust between partners
- Communicating with the project personnel on cultural matters
- Serving in an advisory capacity to project leadership on logistical matters
- Promoting efficiency through leveraging of resources
- Providing "on-the-ground" information for decision making

Institutional Capacity - Miami Dade College

MDC has ten professional schools. A *limited* sampling of MDC programs that articulate with the needs and areas of concerns identified by the Governor's Advisory Group are as follows:

- **School of Justice** –Police, Security, and Correctional Officers
- **School Of Fire And Environmental Science:** Firefighters, Hazardous Waste, and Marine Pollution

- **Schools Of Nursing And Allied Health** – Emergency Medical Technicians, Medical assisting, pharmacy, registered nurses, practical nurses and so many other majors
- **School of Technology and Engineering** - Emerging Technology Center for the America's (ETCOTA) - Architecture, Building Construction and Design, Computer Information Systems, Electronics, Telecommunications and Computer Repair, Engineering Technology, Entertainment Technology and Graphic Design
- **Other Schools and programs:** School of Aviation and Visitor Services, School of Community Education, School of Business, School of Education, Film and Television, a newly proposed Haitian Creole/English Translation and Interpretation program, and much more.

Possible Roles / Interaction of Miami Dade College

Train-the-Trainer Approach

Miami Dade will design programs tailored to the needs identified in Haiti for areas related to Security, Emergency Preparedness, and Economic Development. The proposed programs will always strive to keep the learner's needs, the cultural environment, and the project's goals at the center of decision-making in program development and delivery.

For first responder training, the MDC School of Justice would develop its train-the-trainer approach on the ICITAP model. In 1996 the U.S. Department of Justice - International Criminal Investigative Training Assistance Program (ICITAP) assisted the Haitian Government with recruitment, training, and deployment of a new police force. Training consisted of a four-month training schedule with new classes of approximately 375 recruits introduced every 30 to 40 days.

Technical Assistance Needs Analysis

A needs analysis, job description and analysis, and feasibility study for training would be appropriate. A training staff of 4 to 5 persons with a minimum of 4 days on-site would be required to develop a full proposal for comprehensive technical assistance in Haiti. Costs associated with the on-site analysis would include salaries, transportation, lodging, and per diem for the assessment team.

Service Learning

MDC will consider the development of service learning and internships in Haiti for interested students.

Service learning is an instructional method that combines formal coursework with thoughtfully-organized community service experiences. Service learning addresses community-identified needs while helping students meet academic, social and civic learning goals.

Through service and guided reflection, students learn about themselves and their relationship to the community around them. Service learning allows students to engage with real-world issues and social problems, and to work with community organizations to become "part of the solution."

There is a decade-long tradition of an organized approach to service learning at Miami Dade College. At MDC service learning is a highly developed college-wide initiative. It includes faculty development and support, faculty leadership, agency participation, standards of security and liability management, program coordination, a student ambassador program, and a series of forums on civic engagement. A service learning program under this proposed collaboration would extend the boundaries of community to include an international dimension in collaboration with our neighboring community in Haiti.

Serve and Learn at Sea

Students from various disciplines will participate in two to four-week service learning projects at sea. The students will be accompanied by faculty leaders who will guide the college students in learning activities centered on reflection and the relationship between their service activities in Haiti, their roles as world citizens, and their academic disciplines.

Issues related to lodging, security, and local transportation will be minimized through this creative approach. The Serve and Learn program will allow students to have a broad vista of Haiti by traveling to several Haitian port cities. The natural beauty and wonder of Haiti will be evident to the students and student

photographic and media projects will be of excellent public relations benefit to Haiti's struggling tourism sector.

Depending upon identified community needs and the cultural advisory committee recommendations, the service learning projects might concentrate on such areas as malnutrition, illiteracy, health, housing, roads, and water.

Some of the programs and academic disciplines included in the project could be: Emergency Medical Technician, Medical Assisting, Pharmacy, Practical Nurse, Dental Assistants, Architecture, Building Construction and Design, Computer Information Systems, Electronics, Telecommunications and Computer Repair, Engineering Technology, Graphic Design, Film and Television, Business Administration, Entrepreneurship, Haitian Creole and English Translation/Interpretation, and Teacher Education.

The project's value in terms of positive U.S. public diplomacy, the spreading of democratic principles, and engagement in international civil society should not be underestimated.

Scope of the Project

The areas identified by the Advisory Group are broad and encompass an extensive commitment of resources, both human and capital. Focusing on these three major concerns also promises to become a massive, productive, and historic venture that will contribute greatly to development in Haiti. The efforts resulting from the Advisory Group's planning and development would also serve to foster greater security and harmony in the geographic region encompassing Haiti and the State of Florida.

This concept paper presents a short introduction to some of the applicable Miami Dade College programs, the institutional capacities, and some very nascent descriptions of proposed approaches. Certainly this is an effort that will require the collaboration of diverse partners and constituencies. It is clearly recognized that many steps need to be taken before any program implementation begins. Those steps include needs analysis, curriculum development, infrastructure and environmental scans, identification of funding sources, and proposal development.⁹

⁹ The preceding Concepts Proposed by Miami Dade College (MDC) Adapted from a Concept Paper by MDC on "Technical Assistance and Service Learning" (March 2005).

Florida-Haiti Professional Exchange & Training Program

Recommendation 3: The State of Florida should provide resources for the creation of a dedicated Florida-Haiti Professional Exchange and Training Program with the Government of Haiti. This would allow Florida volunteers, utilizing their vast experience and skills, to travel to Haiti to provide in-country technical assistance/training and for Haitian officials to travel to Florida to receive longer-duration off-site training (in a productive, effective environment). The objective of the professional exchange and training program would be to provide Haitian participants with the knowledge, skills, and resources they need to work more effectively in their respective fields and to build greater capacity within Haitian institutions. Technical assistance/training could be rendered in any number of areas including security, infrastructure development, urban housing projects, disaster preparedness, public health, education/literacy, elections, business development, public administration, environmental protection/conservation, technical trades, etc.

Discussion

A recurrent theme of the Advisory Group's past discussion has been the need to bring Florida's wealth of expertise to bear on each of the identified priority/problem areas. The people of Florida have immense experience with implementing successful economic development programs (e.g. Enterprise Florida; Florida's robust business climate, etc.), disaster preparedness programs (e.g. Florida Division of Emergency Management – hurricane response; Florida Dept. of Environmental Protection, etc.), and security programs (e.g. Florida's innovative domestic security and law enforcement initiatives). These human resources could be some of the most valuable assets that Florida could share with its Haitian neighbors.

When a delegation of the Advisory Group traveled to Haiti in January 2005, it met with a number of representatives of Haiti's public and private sectors. Discussions were held as to how the State of Florida and Florida's Haitian-American Diaspora could provide assistance to Haiti during this critical time of reconstruction. After these meetings, the Advisory Group delegation came away with two overriding impressions: First, that the Government and the

people of Haiti desire Florida's technical assistance and guidance on everything from disaster preparedness and security to elections and economic development. The adage of "Give a man a fish and he eats for a day – Teach a man to fish and he eats for a lifetime" was heard again and again. Second, that the people of Haiti look to Florida's Haitian-American Diaspora and the State of Florida for help; they feel that this assistance will be vital for the country's successful recovery.¹⁰

The transitional Government of Haiti has also formally approached the State of Florida to discuss how Florida could assist in Haiti's development. The Government of Haiti has recognized that there are many specialists in Florida from different fields that could be of great assistance for the reconstruction of Haiti. And the Government has asked for the State of Florida's help in securing the assistance of such specialists. Specifically, the transitional Government has noted that Haiti has a great need for Florida engineers, financial analysts/auditors, environmental specialists, security specialists, economic development specialists, and other experts to come to Haiti in order to train Haitian officials and strengthen the institutional capacity of the country's public and private sectors.

One of the most basic ways that the State of Florida could address all of this, utilizing the vast experience and skills of its populace, would be to facilitate a Professional Exchange and Training Program with the Government of Haiti. This would allow both Florida volunteers to travel to Haiti to provide in-country technical expertise/training and Haitian officials to travel to Florida to receive longer duration off-site training (in a productive, effective environment). The objective of the professional exchange program would be to provide Haitian participants with the knowledge, skills, and resources they need to work more effectively in their respective areas of expertise and to build greater capacity in Haitian institutions.

As will be evident in the subsequent chapters of this report, all of the problem/priority areas considered by the Advisory Group could see a great deal of improvement through the provision of technical assistance. Physical resources, such as funding and infrastructure development, will of course be necessary as well. And indeed the international community has pledged over \$1.08 billion for Haiti's

¹⁰ Mission to Haiti by a Delegation of the Governor's Haiti Advisory Group, (Jan. 13-16, 2005).

two-year transitional period.¹¹ However, only a fraction of these funds have been released, due to a lack of actual projects and human resources to absorb the funding.¹²

A Professional Exchange and Training Program would be able to provide the consultants and trainers from Florida to implement already-developed projects in many different areas of importance. For example, as will be discussed in later chapters, the Haitian National Police (HNP) is in great need of outside consultants to provide in-service training to current law enforcement officers in Haiti. However, Haitian Creole-speaking police officers/trainers are in definite short-supply in the international community. Florida can fill this need by “tapping-in” to the over 175 Haitian-American law enforcement and corrections officers throughout the state.¹³

Linking human resources in Florida to existing projects is certainly valuable, but just as important is the ability to fully deliver these resources to Haiti. As Mr. Anthony Beaver of the U.S. Department of State told the Advisory Group at its February 11, 2005 meeting, because of funding gaps in Haiti assistance programs, “fully-funded packages” for donation of human resources is most helpful. He explained that outside entities that are not only able to locate appropriate trainers, but are also able to provide for the trainers’ travel to Haiti, (including per diem, insurance, lodging, etc.) provide some of the most effective assistance.¹⁴ A State-funded, Florida-Haiti Professional Exchange and Training Program would provide just the type of “fully-funded” trainer/consultant packages as discussed above.

The State of Florida has a great deal of experience in providing technical assistance to regional neighbors from specialists within the state. For example, since 1986, the State of Florida has funded the Florida International Volunteer Corps program, which is administered by the Florida Association for Volunteer Action in the Caribbean and the Americas (FAVACA). The Florida International Volunteer Corps regularly provides technical assistance to 29 countries in the Caribbean Basin, through volunteer consultants from Florida. Recruited volunteers are typically experts in their respective fields who offer training and consultancy with short-term

¹¹ The World Bank, “Haiti: Over \$1 Billion Pledged At International Donors Conference On Haiti,” (Press Release – July 20, 2004).

¹² International Crisis Group, Haiti’s Transition: Hanging in the Balance, (Feb. 2005).

¹³ E-mail from Commander Gary Eugene, City of Miami Police Dept. – to Mr. Michael Pilver, Staff Director, Governor’s Haiti Advisory Group, (March 17, 2005).

¹⁴ Presentation by Mr. Anthony Beaver – Haiti Country Office Coordinator – U.S. Dept. of State – to the Governor’s Haiti Advisory Group (Feb. 11, 2005).

technical assistance missions to Caribbean and Central American countries. Volunteer specialists have assisted a number of projects and communities in many different focus areas, including Business Development, Disaster Management/Mitigation, Preservation of Environment/Heritage, Health and Social Programs, Agriculture, and Information Systems Development.¹⁵

FAVACA and the Florida International Volunteer Corps program have been working with Haiti specifically since 1982. In the period of 1991 to 2003 alone, FAVACA dispatched 218 technical consultants to Haiti and trained some 2,145 individuals.¹⁶ Following are some examples of previous technical assistance missions from Florida to Haiti:

- Dr. Yolaine Surena of the [Haitian] Ministry of the Interior's Office of Civil Protection requested FAVACA's technical assistance to work with communities in the high risk areas in southern Haiti. These communities needed training to help them prepare for natural disasters and train them in evacuation planning, shelter management and need prioritization. Marc Roger, FAVACA's International Programs Manager and former emergency planner with the Florida Department of Community Affairs, John Fleming of Florida's [Division of] Emergency Management agency and Bill Mickler, of Bobby Allison Systems, Inc., trained 17 participants on September 16-17, 1998. Mickler's company donated 2 satellite telephone units, and a weather-satellite information receiver to the Ministry of the Interior. Mr. Roger remained in Haiti to conduct on-site disaster management training during Hurricane Georges, which struck Haiti a direct blow September 23.
- Foundation pour le Developpement de Petit-Trou de Nippes (FONDEP) requested FAVACA's technical assistance in conducting a study on the distribution of potable water in order to improve health and quality of life for the inhabitants of the Petit-Trou de Nippes. Return volunteer Daniel Johnson, a retired civil

¹⁵ Florida Association for Volunteer Action in the Caribbean and the Americas (FAVACA), FAVACA Annual Report 2003, (2003).

¹⁶ Florida Association for Volunteer Action in the Caribbean and the Americas (FAVACA), "Haiti Country Page," (FAVACA Website – www.favaca.org), (2005).

engineer from Kissimmee traveled to Haiti September 21-27, 2003 to conduct this mission.

- Chief of the Cap Haitien Fire Department requested FAVACA's technical assistance to provide training in fire investigation. The fire department had five firemen who could investigate, but did not possess advanced technical knowledge. The team needed training and practical knowledge from an experienced investigator in the areas of fire prevention, criminal prosecution, education, insurance, and development of a database. Chief Richard Kolb, retired Fire Investigator from Ocala, traveled to Cap Haitien to conduct the training July 7-14, 2001. The training included a combination of classroom instruction and practical fieldwork. Firefighters from other departments in Haiti also took part in the training.¹⁷

However, Haiti is not the only area of interest for the Florida International Volunteer Corps program. Its resources are split between all the countries of the Caribbean Basin region. A Florida-Haiti Professional Exchange and Training Program, in contrast, would allow concentrated efforts between the State of Florida and the Government of Haiti, with resources dedicated specifically to this assistance.

A Florida-Haiti Professional Exchange and Training Program would also allow Haitian officials and professionals to travel to Florida for off-site training and/or productive meetings with Florida counterparts. This aspect of the program could be likened to a combination of the U.S. State Department's International Visitor Leadership Program (IVLP – which brings international professionals to the U.S. to confer with American counterparts) and more substantive, specialized training. For example, as discussed in greater detail later in this report, certain international airports in Florida have the resources and willingness to provide airport security training to Haitian airport officials (which could be extremely important to Haiti's continued ability to maintain flights between its territory and U.S. airspace).¹⁸ However, in order to take advantage of this training at Florida airports, financial resources would need to be available to fund the travel of Haitian officials to Florida. A

¹⁷ Florida Association for Volunteer Action in the Caribbean and the Americas (FAVACA), Quarterly Contract Reports to the State of Florida (1998-2003).

¹⁸ See Chapter 4: "Security Assistance"

dedicated Florida-Haiti Professional Exchange and Training Program could provide for this.

Below is a possible outline for how a Florida-Haiti Professional Exchange and Training Program might be implemented:

Possible Outline for FL- Haiti Professional Exchange & Training Program:

1. The State of Florida would contract with an appropriate non-governmental organization to implement the professional exchange program.
2. For an annual sum of \$500,000, State funds would provide for up to 40 professional volunteer trainers to travel to Haiti and conduct technical assistance missions. Funding would cover airfare, per diem, health insurance, ground transportation costs, and training materials.
3. State funds would provide for up to 40 Haitian officials/professionals to travel to Florida to receive training and meet with professional counterparts. Funding would cover airfare, per diem, possible health insurance, ground transportation, and training materials/course fees. The administering organization would work with the Government of Haiti and the U.S. Embassy in Haiti to identify and clear the appropriate officials/professionals who will travel to Florida.
4. State funds would cover full administration and evaluation of the program by the administering, contracted organization, with supervision by the State of Florida.

This funding figure is based on the current contract between the Governor's Office of Tourism, Trade, and Economic Development (OTTED) and the Florida Association for Volunteer Action in the Caribbean and the Americas (FAVACA) for FY 2004-2005. Currently, \$500,000 is allocated for 80 Florida volunteer specialists to provide short-term technical assistance to various countries throughout the Caribbean region.

Promoting HTA's and Sister City Relationships

Recommendation 4: The State of Florida should actively promote Haitian Hometown Associations (HTA's) in Florida and Florida sister cities with Haiti, as a vehicle for mobilizing Florida's large Haitian-American Diaspora to accelerate decentralization by assisting in the development of individual towns/areas of Haiti. This promotion of HTA's/Sister Cities could partly be accomplished through the Florida-Haiti clearinghouse office/organization discussed in Recommendation 1.

Discussion

Due to its geographic proximity and diverse cultural composition, Florida has become the natural second home for immigrants from Haiti. According to the 2000 U.S. Census, the number of people in Florida claiming Haitian ancestry totaled 233,881.¹⁹ By these numbers, Florida has the largest Haitian population in the United States. New York State, which counted 160,319 persons of Haitian ancestry, according to the U.S. Census, has the 2nd largest Haitian population.²⁰ These numbers also indicate that Florida's Haitian community is one of the largest Caribbean populations in the state (after the Cuban and Puerto Rican communities).²¹ While these are the official figures, unofficial estimates show the Haitian population in Florida to be much higher. For example, one Haitian-American organization, by adding together the estimated number of Haitians in Florida who are naturalized U.S. citizens (222,590), with those who were born in the United States (451,020), and those who are non-citizens (146,890), came up with a total Haitian population in Florida of 820,500.²²

Like many immigrant and Diaspora communities in the developed world, Florida's Haitian-American community is becoming more and more closely linked with the Caribbean land of its ancestors. Such growing linkages constitute a social phenomenon known as "transnationalism". Carlo Dade of the Canadian Foundation for the

¹⁹ U.S. Census Bureau, Census 2000 Summary File 3, Matrices PCT15 and PCT18, (2000).

²⁰ *Id.*

²¹ U.S. Census Bureau, Census 2000 Summary File 1, Matrix PCT11, (2000).

²² National Organization for the Advancement of Haitians, "The Haitian Diaspora: How Can the Haitian Diaspora in the U.S. Help in the Development of Haiti," Presentation at "The Emerging Presence in the U.S. of the Haitian Diaspora and its Impact on Haiti" Symposium – Trinity College Haiti Program, (June 2002).

Americas (FOCAL) has characterized the phenomenon in the following way:

Massive migration flows to the United States beginning in the 1980's and to a lesser extent to Canada in the 1990's, combined with declining costs in telecommunications, travel and financial transfers creating a new type of "hyper connectivity" between migrants and their home communities...Migrants are now connected instantaneously, continuously, dynamically and intimately to their communities of origin. Today, finances permitting, one can speak daily with family back home, pay bills, buy groceries, read the same newspapers, return on daily scheduled flights and in some cases, vote abroad. This is a fundamental and profound break from the past eras of migration. As migrants act and interact in their communities of origin on a practically real time basis not only have barriers of distance and time been removed, but so too have barriers of national borders and governmental control. This is the essence of transnationalism...²³

Not only do Diaspora communities tend to care a great deal about current happenings in their land of origin (e.g. staying in contact with relatives back home, keeping abreast of the latest political happenings, etc.), they are also increasingly providing physical resources to accelerate development in their former homelands. Financial remittances are the most common form of this type of support from Diaspora communities. And as transnationalism becomes an ever more powerful phenomenon, remittances take on increasing importance. Luis Monzón of Citizenship and Immigration Canada (a branch of the Canadian federal government) explains the significance of remittances as follows:

Emerging as the most reliable source of foreign currency and capital for developing countries, remittances are of increasing interest to government, foundations, multilateral institutions, researchers and banks. With estimates in 2002 of \$US 80 billion, remittances to developing countries

²³ Carlo Dade – Canadian Foundation for the Americas (FOCAL), "Transnationalism, Foreign Assistance, Domestic Communities: New Opportunities and New Challenges for Canada and the United States," FOCAL Point: Spotlight on the Americas, p. 1, (March 2004).

are a crucial source of foreign exchange. By definition, remittances are generally held to be money and goods that migrants earn while working and living abroad and send back to families in their countries of origin.²⁴

Remittances from Florida's Haitian-American community are a "lifeline" to many low-income families in Haiti. In fact, remittances are seen as the most direct financial flow reaching low-income households in the developing world.²⁵ The latest estimates of the Inter-American Development Bank indicate that US \$977 million in remittances flowed into Haiti in 2003.²⁶ Compared with the size of Haiti's economy in that year (\$2.7 billion),²⁷ this equals 36% of the country's gross domestic product (GDP). This is also more than four times the total revenue of the Government of Haiti (\$231.6 million)²⁸ in 2003.

Hometown Associations

With this enormous source of capital flowing into the country, the Haitian Diaspora is playing an extremely important role in Haiti's development. However, the ways in which these resources are channeled can have an impact on their overall effectiveness. Many immigrant and Diaspora groups, for example, have chosen to pool their resources so that they may be directed toward a certain locale in their land of origin. Known as Hometown Associations (HTA's), these groups send "collective remittances" to improve the lives of family and friends in their homeland communities. Taken as a whole, these community-based funds seem to have greater impact than if they were sent individually. For example, the positive work of HTA's in the Mexican Diaspora has been described in the following manner:

The associations [HTA's] spend monies on a wide range of activities, but investments are primarily made in "infrastructure." However, when HTA's fund the construction of public infrastructure like roads and bridges, they improve local economies by

²⁴ Luis Monzón and Emina Tudakovic, "Remittances: A Preliminary Research," FOCAL Point: Spotlight on the Americas, p. 5, (March 2004).

²⁵ Michelle Lapointe – Inter-American Dialogue and The World Bank, Diasporas in Caribbean Development – Rapporteur's Report, (2004).

²⁶ Inter-American Development Bank – Multilateral Investment Fund, Sending Money Home: Remittance to Latin America and the Caribbean, (2004).

²⁷ World Bank Group, "Haiti At a Glance," (Fact Sheet – 2004).

²⁸ U.S. Central Intelligence Agency, The World Factbook 2004, (2004).

facilitating economic transactions. Similarly, their financing of education and health infrastructure and projects is a direct investment in human capital. HTA's and their federations are sophisticated organizations that raise considerable collective remittances that they invest primarily in local economic development. Their activities strongly support the optimistic view of the role of remittances in hometown communities.²⁹

HTA's channeling resources seems to be fairly effective for the Mexican Diaspora, with HTA's collectively investing an estimated \$30 million per year for community development projects in Mexico.³⁰ While HTA's exist in the Haitian-American community, they are not nearly as prolific as their Mexican counterparts. Those that do exist, though, show the same potential for impact, with each HTA contributing an estimated \$10,000 per year for development projects in individual Haitian towns, such as the building of schools and clinics.³¹

For Florida's Haitian-American community, HTA's represent an underutilized vehicle for mobilizing the Diaspora's resources for the increased development of Haiti. However, the State of Florida could play an important role in promoting the creation and awareness of Haitian HTA's throughout the Sunshine State. By way of the Florida-Haiti clearinghouse organization discussed previously, the State could serve to publicize the positive impact that existing HTA's have on Haitian development. New HTA's could also be encouraged to form, in order to benefit a greater number of cities/towns in Haiti.

Another role that the State of Florida could play in promoting the efforts of Haitian HTA's would be to serve as an intermediary between these HTA's and larger institutions. For example, the World Bank has expressed a good deal of interest in providing Caribbean HTA's with technical assistance and research in order to assist them in channeling their resources toward viable projects in their lands of origin. However, most HTA's alone lack the sophistication to approach the World Bank and other large

²⁹ Rafael Alarcón – Departamento de Estudios Sociales – El Colegio de la Frontera Norte, “The Development of Home Town Associations in the United States and the Use of Social Remittances in Mexico,” (2001).

³⁰ Carlo Dade – Canadian Foundation for the Americas (FOCAL), “Transnationalism, Foreign Assistance, Domestic Communities: New Opportunities and New Challenges for Canada and the United States,” FOCAL Point: Spotlight on the Americas, p. 1, (March 2004).

³¹ Id.

institutions directly.³² Therefore, the State of Florida, through a clearinghouse organization, could serve as a liaison between Haitian HTA's and larger development entities. The State could also work to link Florida's Haitian HTA's with associations of HTA's in other parts of the U.S., such as the Federation des Associations Regionales Haitiennes a L'Etranger (FARHE), based in New York.³³ Through coordinated effort, Haitian HTA's may be able to render more effective assistance to their individual areas of interest.

Florida-Haiti Sister City Relationships

Another vehicle for Haitian development which holds a tremendous amount of potential in Florida are Florida-Haiti sister city relationships. Sister Cities International, a network of sister city relationships throughout the U.S., explains that sister cities provide:

...partnerships between U.S. and international communities in an effort to increase global cooperation at the municipal level, to promote cultural understanding and to stimulate economic development.³⁴

Florida's sister city relationships with Haitian cities provide the same advantages. Currently, Florida has four recognized sister city/county relationships with Haiti. These include:

1. Ft. Lauderdale and Cap Haitien,
2. Gainesville and Jacmel,
3. Dade County and Petit Goave, and
4. Miami and Port-au-Prince³⁵

All of these relationships provide not only cultural exchange, but more important to Haiti's reconstruction, they also create linkages promoting economic and social development. A good illustration can be seen in the relationship between Ft. Lauderdale and Cap Haitien. A relatively new affiliation, this partnership is already yielding positive, tangible results, which range from job creation to

³² Michelle Lapointe – Inter-American Dialogue and The World Bank, Diasporas in Caribbean Development – Rapporteur's Report, (2004).

³³ Francois Pierre-Louis – Queens College, New York, "The Limits of the State in Promoting Hometown Associations: The Case of Haiti," (Paper Presented at the Diaspora and Homeland Development Conference – Berkeley Center for Globalization and Information Technology – April 13, 2004).

³⁴ Sister Cities International, "Goals" (SCI website) (<http://www.sister-cities.org/sci/aboutsci/mission>), (March 2005).

³⁵ State of Florida, 2005 Florida Sister City / Sister State Directory, (2005).

technical assistance. Below are some of the recent activities between the two municipalities:

- Due to efforts of the City of Ft. Lauderdale, American Woolen Co. of Miami has established operations in Cap Haitien providing 200 residents of the city with employment assembling blankets.³⁶
- A garbage truck has been donated from Ft. Lauderdale to Cap Haitien to assist in waste management.³⁷
- A distance learning program has been established between North Side Elementary School in Ft. Lauderdale and Roi Christophe Primary School in Cap Haitien.³⁸
- Lifeguards and swimming instructors from Ft. Lauderdale's International Swimming Hall of Fame traveled to Cap Haitien and provided 550 Haitian children with their first swimming lessons (hundreds of Haitians die every year from drowning; swimming is seldom taught). 8,000 swimming instructional booklets in Creole were also distributed.³⁹
- Lifeguards from Ft. Lauderdale instructed 32 Cap Haitien firefighters in water rescue techniques.⁴⁰

Such positive interchange is undoubtedly of great benefit to Haiti's development in a number of different areas. As with HTA's, the State of Florida could promote these Florida-Haiti sister city linkages as a way of mobilizing available resources from particular communities (cities, counties, etc.) within the state for localized support of Haitian counterparts.

Decentralization

Another important aspect of linkages such as HTA's and Florida-Haiti sister city relationships is their potential to accelerate decentralization in Haiti. When a delegation of the Governor's Haiti Advisory Group traveled to Haiti in January 2005, it met with a

³⁶ Evelyn Knowles, "Helping Haiti," The South Florida Sun Sentinel, (May 2, 2004).

³⁷ Id.

³⁸ Id.

³⁹ Evelyn Knowles, "Lessons Help Haitians Beat Fear of Water," The South Florida Sun Sentinel, (December 5, 2003).

⁴⁰ Id.

number of representatives from Haiti's private sector. One topic that was discussed was the need for economic decentralization of Haiti, to bring more self-sufficiency to outlying provincial areas of the country. Many feel that economic activity has had a previous, unnecessary focus on Port-au-Prince.⁴¹ This emphasis tends to ignore the smaller cities and regional areas of Haiti, making them less self-sufficient and more dependent upon the capital. Therefore, there is a growing sense that the overall economic health of the country would be greatly improved if development activities took on a more local focus. Not only would this make provincial areas more resilient, it would also relieve some pressure on the capital area and decrease urban migration. This, in turn, could help reduce urban poverty in Port-au-Prince's slum areas and increase overall stability.

By their very nature, HTA's and sister city relationships are "local" in focus. Therefore, by increasing activity of associations such as these, it stands to reason that the Haitian-American community can assist to accelerate the process of decentralization in Haiti, for the betterment of the entire country.

⁴¹ Meeting between a Delegation of the Governor's Haiti Advisory Group and Representatives of the Haitian Private Sector, (Port-au-Prince - Jan. 13, 2005).

Chapter 3 – THE CURRENT SECURITY SITUATION

“A climate of security is necessary for the economic stabilization of the country and the conduct of free, fair and transparent elections to help resolve the political crisis. All the major stakeholders in Haitian society...should work towards the consolidation of a climate of peace and security on the basis of mutual respect, accommodation, and common and mutual interest.”

OAS Secretary General, Second Quarterly Report of the Secretary General on the Situation in Haiti, (January 6, 2005).

Introduction

In preparing to identify three priority areas on which to focus its attention in the limited amount of time available to it, the Governor’s Haiti Advisory Group carefully reviewed the Government of Haiti’s *Interim Cooperation Framework 2004-2006 Summary Report*. This document, which the interim government developed with substantial assistance from the international community (the United Nations, the World Bank, the Inter-American Development Bank, and the European Commission), lays a blueprint for how the Government of Haiti plans to move the country forward through reconstruction and transition until a new, elected government takes power in February 2006. The *Interim Cooperation Framework Summary Report* identifies four Strategic Axes around which the government’s reconstruction/transition strategy would revolve. The first of these axes examines the priority to “Strengthen Political Governance and Promote National Dialogue”. Within this Axis, the number one item of concern focuses on “Security, Police, Demobilization, Disarmament, and Reintegration”.⁴²

⁴² Republic of Haiti, Interim Cooperation Framework 2004-2006 Summary Report (2004).

The careful review of the *Interim Cooperation Framework Summary Report*, combined with the Advisory Group's discussion with Prime Minister Latortue and representatives of the Haitian private sector, greatly informed the Group's decision to name "Security" as a priority area of attention for its recommendations to the Governor. As the Advisory Group closely examined the issue of "Security" through expert testimony, governmental reports, and observation of on-going events in Haiti, it became apparent that the unstable and sometimes volatile security situation would have to be improved in order for the country to see progress in other areas. For example, the success of Haiti's national elections, scheduled for the fall of 2005, will be heavily dependent on a secure environment for political campaigning and public voting.⁴³ Stabilization of the disastrous economic situation in Haiti will also be largely dependent on security factors, which will allow the promotion of new economic activity and foreign direct investment.⁴⁴ And for long-term stability, even after the 2005 elections, Haiti will need to create an environment of true security and public safety, moving away from its current climate of violence.⁴⁵

The following discussion is not intended to portray a dire security situation in Haiti but rather to point out problem areas that may serve as opportunities for the State of Florida and the international community to better assist Haiti towards a more stable future.

Background on Recent Events

The uninitiated may benefit from a brief overview of the development of recent problems before moving into a more in-depth examination of the current security situation.

In its relatively brief 200 years of history, Haiti has been plagued by recurrent political upheaval and a number of violent periods. The most recent of these began in February 2004 after mounting unrest over the policies of former President Aristide's government.

At the beginning of February, a formerly pro-Aristide armed group in Gonaïves calling itself the "Front de Resistance de l'Artibonite Pour Renversement de Jean Bertrand Aristide" (Resistance Front) announced its intention to overthrow President Aristide. On

⁴³ Presentation by Mr. Anthony Beaver – Haiti Country Office Coordinator – U.S. Dept. of State – to the Governor's Haiti Advisory Group (Feb. 11, 2005).

⁴⁴ Secretary General of the Organization of American States (OAS), Quarterly Report on Haiti of the Secretary General (September 2004).

⁴⁵ Peter Calvert, Revolution and International Politics, (1996).

February 5th, the Resistance Front was successful in taking control of the city of Gonaïves (Haiti's third largest city).⁴⁶ The armed insurgency then spread to several northern towns and was joined by other militias and former members of the dismantled Haitian armed forces.⁴⁷ The Haitian National Police (HNP), the country's sole security apparatus, was unable to contain the rebellion. Many police officers fled, as police stations in rebel-held areas were ransacked and burned.⁴⁸ Several jails were also breached, allowing prisoners to be freed, some to join the insurgency.⁴⁹

By February 22nd, the insurgents had taken control of Cap-Haïtien (the second-largest city in the country) and were beginning to make their way toward the capital of Port-au-Prince.⁵⁰ After proposed political settlements between the Government and the opposition failed and as rebels came within 25 miles of the city, President Aristide resigned his office and fled the country on February 29th.⁵¹

It is estimated that approximately 80-100 people were killed in the February 2004 insurgency.⁵² However, the violence associated with this time period was far from over.

With a great confrontation in Port-au-Prince averted and a constitutional interim government installed in March 2004, it was hoped that a new climate of stability would be long-lasting. A Multinational Interim Force (MIF) led by the United States was authorized by the United Nations Security Council⁵³ to secure Haiti in the time period directly following Aristide's departure. Then in June 2004, the MIF handed over peacekeeping responsibilities to a new United Nations Stabilization Mission in Haiti (MINUSTAH).⁵⁴

However, hopes for a long peace were dashed on September 30, 2004, when a new wave of violence began in the slums of Port-au-Prince. On this date, demonstrations against the Interim Government turned violent as protestors and members of the Haitian National Police (HNP) began to clash.⁵⁵ In the fighting that ensued

⁴⁶ International Crisis Group, A New Chance for Haiti, (2004).

⁴⁷ Secretary-General of the United Nations (UN), Report of the Secretary-General on Haiti (April 2004).

⁴⁸ International Crisis Group, A New Chance for Haiti, (2004).

⁴⁹ Secretary-General of the United Nations (UN), Report of the Secretary-General on Haiti (April 2004).

⁵⁰ International Crisis Group, A New Chance for Haiti, (2004).

⁵¹ U.S. Department of State, Background Note: Haiti, (2005).

⁵² The Economist, "Whose Coup in Haiti?", (March 6, 2004).

⁵³ United Nations Security Council, Resolution 1529, (Feb. 2004).

⁵⁴ United Nations Security Council, Resolution 1542, (April 2004).

⁵⁵ International Crisis Group, A New Chance for Haiti, (2004).

over the next several weeks, armed gangs in the capital began a campaign against the HNP in which 13 police officers were killed, including three who were beheaded. Businesses, schools, and the main port facility in Port-au-Prince were repeatedly shut down during this period.⁵⁶

The situation began to improve and somewhat stabilize beginning in December 2004, as MINUSTAH came to near full strength (with a military component of 6,700 troops and a civilian police component of 1,622⁵⁷) and began taking a more proactive role in operations with the HNP. At the end of 2004 and the beginning of 2005, MINUSTAH forces made several notable security raids with HNP into Port-au-Prince slum areas with successful results.⁵⁸

Current Situation

In reviewing the current security situation in Haiti, it will be useful to examine a number of problems that continue to confront the country. Then a detailed analysis of the current security apparatus within Haiti may reveal areas in which the State of Florida and the international community may be able to assist in bringing greater stability.

Armed Political Groups and Criminal Gangs

One of the biggest security problems currently confronting Haiti, particularly in the urban slums of Port-au-Prince and Gonaïves, is the presence of a number of armed political groups and criminal gangs. Highly fragmented, these groups are responsible for much of the violence that has taken place since September 30th, and they continue to pose one of the greatest challenges to the HNP and UN peacekeepers.⁵⁹

Many of these groups, sometimes referred to as “Popular Organizations,” have grown in power and have engaged in increased organized crime activity over recent years. As these groups became

⁵⁶ Secretary-General of the United Nations (UN), Report of the Secretary-General on the United Nations Stabilization Mission in Haiti, (November 2004).

⁵⁷ United Nations Security Council, Resolution 1542, (April 2004).

⁵⁸ International Crisis Group, Haiti’s Transition Hanging in the Balance, (Feb. 2005); and Presentation by Mr. Anthony Beaver – Haiti Country Office Coordinator – U.S. Dept. of State – to the Governor’s Haiti Advisory Group (Feb. 11, 2005).

⁵⁹ Secretary-General of the United Nations (UN), Report of the Secretary-General on Haiti (April 2004).

more and more active, a pervasive climate of fear engulfed urban areas of Haiti, prompting an associated rise in the number of private security firms for hire. And despite a U.S. ban on the sale of weapons to Haiti, large-scale trafficking in small arms ensued, with everyday Haitians attempting to arm themselves defensively.⁶⁰ It is now believed that as many as 300,000 illegal firearms are circulating throughout the country. Many of these are believed to be held by armed political groups and criminal gangs.⁶¹

Armed gangs seem to be both pro and anti-Aristide in political orientation. And violent feuding between these different gangs only adds to the chaotic mix in the slums of Port-au-Prince. Two of the most notable of these warring groups are the pro-Aristide gang “Drèd Wilmè” and the anti-Aristide gang “Labannye”.⁶²

All in all, it is estimated that up to 1.5 million people in Port-au-Prince live in areas in which the government (HNP) has no effective control. These are centered in the overcrowded and impoverished slums of Cité Soleil, Bel Air, and Martissant.⁶³

While the majority of current violence is taking place in Port-au-Prince’s slum areas, there are some concerns in other parts of the country as well. For example, in Gonaïves, members of the Resistance Front (the formerly pro-Aristide “Cannibal Army”) are still armed and have turned to some criminal activities in order to financially support themselves. Reports have been submitted indicating that some elements of the Resistance Front have forcibly taken control of certain relief supplies intended for Tropical Storm Jeanne survivors and have even attacked foreign aid workers.⁶⁴

Members of the Former Military

Another major problem facing Haiti’s police and international peacekeepers is the continued presence of armed members of the disbanded Armed Forces of Haiti (FAd’H). In 1995, former President Aristide dissolved the Haitian military, due in large part to his wariness from the coup that was launched against him by the military in 1991. However, while the presence of the military is

⁶⁰ Id.; and Republic of Haiti, Interim Cooperation Framework 2004-2006, Summary Report, (2004).

⁶¹ International Crisis Group, Haiti’s Transition Hanging in the Balance, (Feb. 2005).

⁶² Id.

⁶³ Id.

⁶⁴ National Coalition for Haitian Rights (NCHR), Continuing Climate of Violence and Insecurity, (Feb. 2005)

established in the Constitution of Haiti,⁶⁵ Aristide did not pursue changes to the Constitution prior to disbanding the armed forces. Therefore, many former members of the military, who also lost pay and pensions with the dissolution, believe that Aristide's actions in this regard were illegal. Aristide's government also did not see to the disarmament of soldiers' personally-held weapons. So, many ex-military personnel still possess small arms that they used in active duty.⁶⁶

Some previous attempts were made by the international community directly after the dissolution of the armed forces to reintegrate military personnel back into society. Most of these focused on business training. However, many believe this reintegration strategy was flawed and ultimately ineffective in that funding for business/reintegration training was only made available for six months from the date of dissolution.⁶⁷

In the armed rebellion of February 2004, many members of the former military re-organized themselves and became particularly active in the campaign leading up to Aristide's departure. They then pledged, along with other rebels, to lay down their arms when a new transitional government was installed. Unfortunately, when the interim government of Prime Minister Latortue came to power in March 2004, ex-military personnel retained possession of their weapons.⁶⁸

After this time, armed ex-military in many outlying areas began patrolling streets, sometimes alongside the remnants of the HNP, claiming that they were providing "security" to the Haitian people during an absence of government control.⁶⁹

To address the growing concern over the security risks posed by the activity of the former military, the Interim Government demanded that all armed groups relinquish their weapons by the deadline of September 15, 2004.⁷⁰ However, this date has come and gone with no disarmament by the former military.

⁶⁵ Republic of Haiti, Constitution of the Republic of Haiti, (1987).

⁶⁶ Secretary-General of the United Nations (UN), Report of the Secretary-General on Haiti (April 2004).

⁶⁷ International Crisis Group, Haiti's Transition Hanging in the Balance, (Feb. 2005).

⁶⁸ Secretary-General of the United Nations (UN), Report of the Secretary-General on Haiti (April 2004).

⁶⁹ Id.

⁷⁰ Secretary-General of the United Nations (UN), Interim Report of the Secretary-General on the United Nations Stabilization Mission in Haiti, (Aug. 2004).

Starting in September 2004, ex-military personnel began capturing and occupying a number of police stations, including the stations in Grand Goâve, Mirebalais, Arcahaie, and Petit-Goâve. While most of these stations have been reclaimed by international peacekeepers, MINUSTAH and the HNP [at time of writing] have still been unable to wrest control of the police station in Petit-Goâve.⁷¹ In the areas, such as Petit-Goâve and St. Marc, where the ex-military are more active, Lavalas party members and supporters are often in hiding, due to fear of persecution.⁷²

Along with these more brazen actions have come demands by the former military for the Interim Government to pay them 10 years worth of back pay and benefits that they lost after Aristide dissolved the armed forces in 1995. They are also demanding that the Interim Government officially re-establish the Armed Forces of Haiti (FAd'H).⁷³ Interim Prime Minister Latortue has responded that such a restoration of the armed forces can only be decided by an elected government, which will come to power in 2006.⁷⁴ However, in order to address some of the concerns of the ex-military, the Interim Government has begun a new program of Disarmament, Demobilization, and Reintegration (DDR). This program provides some back payment and pensions through two allotments to former members of the armed forces, on the condition that they give up their weapons. Some fear, though, that this program may not be fully effective in stabilizing the situation, as the ex-military personnel will only be required to disarm after they have received all of their back pay/pension allotments. Most of these dispersals will not have been completed until after the 2005 elections, leaving many armed ex-military to possibly disrupt the electoral process.⁷⁵

Particularly concerning for the future security of Haiti is the possible confrontation between the former military and MINUSTAH/HNP. In December 2004, approximately 50 ex-military personnel took control of former President Aristide's residence in Tabarre (just outside of Port-au-Prince), announcing their intention to make the mansion their new headquarters. After days of failed negotiations, MINUSTAH and the HNP forcibly evicted the former military personnel from the premises. Fortunately, there were no casualties associated with this encounter, and there have been no major

⁷¹ International Crisis Group, Haiti's Transition Hanging in the Balance, (Feb. 2005).

⁷² Secretary General of the Organization of American States (OAS), Quarterly Report on Haiti of the Secretary General, (September 2004).

⁷³ National Coalition for Haitian Rights (NCHR), Continuing Climate of Violence and Insecurity, (Feb. 2005).

⁷⁴ Secretary General of the Organization of American States (OAS), Quarterly Report on Haiti of the Secretary General (September 2004).

⁷⁵ International Crisis Group, Haiti's Transition Hanging in the Balance, (Feb. 2005).

confrontations since [at time of writing]. Yet many Haiti observers are concerned that the continued tension between the Interim Government and the ex-military will constitute a major threat to the upcoming elections in fall 2005.⁷⁶

Currently, it is believed that the ex-military is most active in the Departments (provinces) of the Center, North, and North-East, with more than 1,000 armed personnel in this area. Former military are arranged in groupings of approximately 250 per town in the North and North-East Departments, and groupings of about 40-60 in the Department of the Center.⁷⁷

Combined with the armed political groups and criminal gangs, the ex-military personnel comprise a group of approximately 25,000 armed persons operating outside of legitimate government authority in Haiti.⁷⁸ In order for true stability to be assured, the Interim Government and MINUSTAH will need to work diligently to fully disarm and reintegrate these elements back into mainstream Haitian society. Perhaps more importantly, peaceful dialogue and the beginnings of true reconciliation for all different groups need to commence as soon as possible.

Drug Trafficking

An often overlooked, yet increasingly problematic factor for Haiti's security and stability is the prevalence of drug trafficking through the country. Haiti is considered one of three major transshipment points (along with Jamaica and the Dominican Republic) for cocaine transported from South America and destined for the United States.⁷⁹ In 2004, it was estimated that approximately 8 to 10% of the cocaine coming into the U.S. travels through Haiti.⁸⁰ A current rise in Haitian drug trafficking (possibly due to increased political

⁷⁶ National Coalition for Haitian Rights (NCHR), Continuing Climate of Violence and Insecurity, (Feb. 2005).

⁷⁷ Secretary General of the Organization of American States (OAS), Quarterly Report on Haiti of the Secretary General (September 2004).

⁷⁸ Secretary-General of the United Nations (UN), Interim Report of the Secretary-General on the United Nations Stabilization Mission in Haiti, (Aug. 2004).

⁷⁹ U.S. Drug Enforcement Administration (DEA), The Drug Trade in the Caribbean: A Threat Assessment, (2003).

⁸⁰ U.S. Dept. of State – Bureau for International Narcotics and Law Enforcement Affairs, International Narcotics Control Strategy Report – 2003, (March 2004); and Republic of Haiti, Interim Cooperation Framework 2004-2006 Summary Report (2004).

chaos) has been associated with a rise in organized crime and overall violence within the country.⁸¹

There are many reasons why Haiti is such an attractive target for South American drug traffickers. The U.S. Department of State's Bureau for International Narcotics and Law Enforcement Affairs explains it this way:

Haiti remains an important transit country for Colombian drug traffickers due to its geographic location between the U.S., Central and South America. Haiti functions as a command, control and communications center for cocaine transshipment activities destined for the United States. Haiti presents several problems for effective counternarcotics efforts, which include approximately 1,125 miles of unprotected shoreline; numerous uncontrolled seaports; numerous clandestine airstrips; a thriving contraband trade; weak democratic institutions; a fledgling civilian police force and a dysfunctional judiciary system. These factors contribute to the use of Haiti by drug traffickers as a strategic transshipment point of distribution.⁸²

From the State of Florida's perspective, this situation in Haiti is alarming in that much of the cocaine (along with some heroin and marijuana) that arrives in the country is smuggled, via small coastal freighters or containerized cargo, directly from Haiti's north coast to south Florida.⁸³

It is important to note, however, that the U.S. State Department has recognized the Interim Government of Haiti for making significant strides in rooting out drug-related corruption, improving financial intelligence to track money laundering, and cooperating on joint

⁸¹ Secretary-General of the United Nations (UN), Report of the Secretary-General on Haiti (April 2004); and Presentation by Mr. Anthony Beaver – Haiti Country Office Coordinator – U.S. Dept. of State – to the Governor's Haiti Advisory Group (Feb. 11, 2005).

⁸² U.S. Dept. of State – Bureau for International Narcotics and Law Enforcement Affairs, International Narcotics Control Strategy Report – 2005, p. 34, (March 2005).

⁸³ U.S. Drug Enforcement Administration (DEA), The Drug Trade in the Caribbean: A Threat Assessment, (2003); and U.S. Dept. of State – Bureau for International Narcotics and Law Enforcement Affairs, International Narcotics Control Strategy Report – 2005, (March 2005).

narcotics investigations with U.S. agencies.⁸⁴ This is all extremely important, as previous governments have been less cooperative and some high-level officials of the previous HNP hierarchy itself were implicated in drug-related corruption.⁸⁵

In order to assert any lasting control over illicit drug trafficking, though, the Government of Haiti will need to strengthen its counternarcotics infrastructure and capabilities. For example, while the HNP does have a counternarcotics division, the Bureau de la Lutte Contre le Trafic des Stupefiants (BLTS), this division only has the manpower of 48 officers/agents (in a country of 8.3 million). Also, the BLTS only has a permanent presence in Port-au-Prince, with no real means of transport outside of the city.⁸⁶ Yet, the majority of cocaine coming into the country is shipped from Colombia's north coast to arrive on Haiti's unprotected southern coast. Neither the BLTS nor the HNP's Coast Guard Unit (the HCG, which also has counternarcotics law enforcement responsibilities) have any real presence on Haiti's southern coast.⁸⁷ And after the political uprising of 2004, the HCG's primary base in Cap Haitien (on Haiti's northern coast) was overrun by rebels and greatly damaged. This now greatly limits the effectiveness of the HCG on Haiti's northern coast, where a majority of drug shipments travel from Haiti to Florida.⁸⁸

Airport/Seaport Security Deficiencies

Another major concern for Haiti's security, which may also have great impacts on the country's economic interests, lies in the security posture of its primary international airport (in Port-au-Prince) and its several seaport facilities.

The Port-au-Prince International Airport (PAP) in the capital is the main entry point into the country for businesspeople, traveling government officials, diplomats, tourists, and some cargo. Its functionality remains critical for Haiti's access to the outside world. While security has always been an important consideration for PAP, the events of September 11, 2001 have brought new focus from the

⁸⁴ U.S. Dept. of State – Bureau for International Narcotics and Law Enforcement Affairs, International Narcotics Control Strategy Report – 2005, (March 2005).

⁸⁵ U.S. Dept. of State – Bureau for International Narcotics and Law Enforcement Affairs, International Narcotics Control Strategy Report – 2003, (March 2004).

⁸⁶ U.S. Dept. of State – Bureau for International Narcotics and Law Enforcement Affairs, International Narcotics Control Strategy Report – 2005, (March 2005).

⁸⁷ Id.

⁸⁸ Id.

international community on basic aviation security standards – standards that will have a great impact on Haiti’s main international airport.

The International Civil Aviation Organization (ICAO), a United Nations body that regulates all issues related to civil aviation, has a structured Aviation Security program (AVSEC) that establishes international aviation security standards. As a “Contracting State” of the ICAO, the Republic of Haiti has agreed to abide by all ICAO security standards.⁸⁹

After September 11, 2001, the U.S. government created the U.S. Department of Homeland Security (DHS) and the Transportation Security Administration as a component of DHS. The Transportation Security Administration (TSA) was then given responsibility for all matters related to U.S. aviation security, issues previously regulated by the Federal Aviation Authority (FAA).⁹⁰ Under Title 49 of the U.S. Code, Section 44907, TSA is required to make security assessments of all foreign airports that have direct service to the United States. If TSA finds that a foreign airport does not meet ICAO security standards, it is required to notify both the foreign government and the American public. If corrective action is not taken by the foreign airport to address the security problems, the U.S. Secretary of Homeland Security has the power to ban all flights between U.S. airspace and that foreign airport.⁹¹

Pursuant to security assessments of Port-au-Prince International Airport (PAP) made by TSA teams, the U.S. Department of Homeland Security (DHS) determined on December 22, 2004 that PAP does not adequately meet ICAO security standards. Accordingly, DHS “has directed air carriers issuing tickets for travel between the United States and Port-au-Prince to notify ticket purchasers of this determination” as well as having visible signage at U.S. airports apprising the public of the determination.⁹²

TSA also gave PAP officials deadlines, set for the first part of 2005 to make major improvements in the airport’s security program. If PAP does not comply, TSA announced that air service between the

⁸⁹ Presentation by Mr. Bob Raffel, Senior Director of Public Safety - Greater Orlando Aviation Authority (GOAA) – to the Governor’s Haiti Advisory Group (Feb. 11, 2005).

⁹⁰ Id.

⁹¹ U.S. Code, Title 49, Section 44907; and Presentation by Staff of the U.S. Embassy in Haiti to the Governor’s Haiti Advisory Group (Jan. 14, 2005).

⁹² U.S. Department of Homeland Security – Transportation Security Administration, Homeland Security Finds that Security at Port Au Prince Airport Does Not Meet International Standards, (Press Release – Dec. 22, 2004).

United States and Haiti could be temporarily discontinued.⁹³ Such a suspension of air service would no doubt be utterly disastrous to Haiti's economy and the development efforts of the international community.

Fortunately, in late January 2005, TSA found that PAP was making some progress in correcting security deficiencies. And TSA has sent technical assistance teams to PAP to continually support airport officials in improving their security program.⁹⁴ However, long-term improvements in PAP's training of security personnel (some under authority of the HNP) and its security infrastructure will need to be realized to avoid further problems in this area.⁹⁵

A similar concern comes from Haiti's major seaport in Port-au-Prince and the eight provincial seaports in outlying cities (Cap-Haitien, Gonaïves, Jacmel, Jeremie, Les Cayes, Miragoane, Port-de-Paix, and Saint-Marc). As a member of the International Maritime Organization (IMO – a specialized UN agency) since 1953, the Republic of Haiti signed the International Convention for the Safety of Life at Sea (SOLAS) as a contracting government in 1974. In the wake of September 11, 2001, members of the IMO met and passed a new set of more stringent security standards, the International Ship and Port Facility Security (ISPS) Code, as part of the SOLAS agreement. All contracting states of the SOLAS convention, including Haiti, are legally obligated by international law to be in compliance with ISPS security standards by July 1, 2004. Governments whose ports and ships are not in compliance by July 1, 2004 may see shipping trade with other compliant countries suspended, at individual countries' discretion.⁹⁶

Due to the importance of shipping to Haiti's overall economy and stability, outside entities have become concerned over the transitional Government's ability to maintain ISPS-mandated security standards at Haiti's seaport facilities. Beginning in June of 2004, Caribbean Central American Action (CCAA – a private organization that promotes economic development throughout the Caribbean region) began sending representatives to Haiti to meet

⁹³ Presentation by Staff of the U.S. Embassy in Haiti to the Governor's Haiti Advisory Group (Jan. 14, 2005).

⁹⁴ E-mail from Mr. David Reimer, Economic and Commercial Counselor – U.S. Embassy in Haiti – to Mr. Michael Pilver, Staff Director, Governor's Haiti Advisory Group, (Feb. 16, 2005).

⁹⁵ Presentation by Mr. Bob Raffel, Senior Director of Public Safety - Greater Orlando Aviation Authority (GOAA) – to the Governor's Haiti Advisory Group (Feb. 11, 2005).

⁹⁶ International Maritime Organization (IMO), FAQ's on ISPS Code and Maritime Security, (2005).

with government officials and representatives of the private sector to gauge Haiti's progress in attaining ISPS security standards at its main port facility in Port-au-Prince and its smaller port facilities in outlying departements (provinces). At this time, in order to assist the National Port Authority (APN) with its fledgling security programs, it was deemed necessary for CCAA to partner with key shipping interests in Florida and in Haiti to form a private sector "Comité de Certification ISPS".⁹⁷ Anton Edmunds, Deputy Director of CCAA, has explained the critical importance of assisting Haiti in upgrading its port security infrastructure with the following:

The problem the region including Haiti faces, is often the lack of technical resources and funding to meet the compliance standards of the ISPS and the MTSA [U.S. Maritime Transportation Security Act] Codes. Inability to attain and maintain compliance could mean significant disruptions in Haiti's ability to trade with countries like the United States.⁹⁸

In a proposal to upgrade Haiti's port security infrastructure, CCAA further stated:

Failure of ports, vessels, and companies engaged in international maritime commerce to achieve the specified compliance standards will result in sanctions that include fines, delay, or even denial of vessel entry into ports of call [by compliant neighbors].⁹⁹

If vessels traveling between Haiti and the United States were denied entry to U.S. ports, the result would be truly disastrous for Haiti's economy. Haiti would no longer be able to export any goods directly to the U.S. market (as of 2003, 84% of all Haiti's exports are currently shipped to the United States), and U.S. flag ships may refuse to enter Haitian ports-of-call (because they would need to return to U.S. ports, where they would be subject to stringent security procedures). The former situation would destroy Haiti's fragile export market and its associated jobs (manufacturing, coffee producing, etc.), and the latter would deprive Haiti of approximately

⁹⁷ Caribbean Central American Action (CCAA), "Maritime Port Security Leads CCAA Efforts in Haiti", CCAA Quarterly, Volume 2, Issue 2, (July 2004).

⁹⁸ Id.

⁹⁹ Caribbean Central American Action (CCAA), Implementation of IMO & ISPS Requirements in Haiti – A Public/Private Sector Partnership, (Grant Proposal) (2004).

54% of its total imports, which come from the United States (2003), including food, machinery, and petroleum.¹⁰⁰

The U.S. Government has currently budgeted \$1 million in international aid to assist Haiti in upgrading and maintaining seaport security programs to ISPS standards.¹⁰¹ However, actual programs to facilitate this will require outside entities to provide the appropriate technical assistance. There remains much that the State of Florida can do to assist the process and ensure continued safe commerce between Haiti and the United States.

Security Capabilities: The Haitian National Police

The preceding discussion focused on a number of security concerns confronting Haiti. However, it is also important to examine the infrastructure that the Government of Haiti currently has in place to deal with some of these issues. By doing this, it will be possible to identify areas in which the State of Florida and the international community can be of greatest assistance in helping the Government of Haiti to foster a stable and secure environment.

The sole security/public safety force currently provided by the Government of Haiti is the Haitian National Police (HNP). Founded in 1995 when former President Aristide disbanded the military, the HNP endeavored in its first years, with some help from the international community, to build a credible force tasked with upholding the Rule of Law.¹⁰² However, attempts to professionalize the HNP were often “slow and uneven”.¹⁰³

An extremely counterproductive occurrence that directly impeded the professional development of the HNP was previous governments’ increasing politicization of the force.¹⁰⁴ The U.S. Dept. of State has explained the situation in this way:

...many key HNP positions [were filled with the Government’s] political allies and corrupt or

¹⁰⁰ Meeting between Representatives of Haiti’s Private Sector and the Governor’s Haiti Advisory Group, (Jan. 13, 2005); and U.S. Central Intelligence Agency, The World Factbook 2004 (2004).

¹⁰¹ Presentation by Mr. Anthony Beaver – Haiti Country Office Coordinator – U.S. Dept. of State – to the Governor’s Haiti Advisory Group (Feb. 11, 2005).

¹⁰² U.S. Dept. of State – Bureau of Democracy, Human Rights, and Labor, Haiti: Country Report on Human Rights Practices – 2004 (Feb. 2005).

¹⁰³ Secretary-General of the United Nations (UN), Report of the Secretary-General on Haiti (April 2004).

¹⁰⁴ Id.

political elements lacking experience, training, and credibility. Partisan political leaders exercised control over elements of the police and influenced it for personal or political gain. The politicization of the HNP facilitated both political violence and drug trafficking.¹⁰⁵

Such widespread politicization and corruption within the HNP greatly lessened its effectiveness and damaged its credibility in the eyes of the Haitian people.¹⁰⁶

Just prior to the events of February 2004, the HNP had a force of approximately 5,000 officers. With the insurgency that was to follow, the HNP almost completely collapsed. Many police officers deserted their posts and did not return to duty. This left the force with only about 2,500 poorly-equipped officers after Aristide's departure. Many police stations were also overrun, looted, and burned during the rebellion.¹⁰⁷

When the Interim Government came into office, it acted swiftly to dismiss the worst of approximately 200 HNP officers who were believed to be corrupt, incompetent, or both.¹⁰⁸ This further dwindled the HNP's numbers. However, by August 2004, about 1,000 officers, who had previously fled, had returned to duty bringing officer strength up to 3,567.¹⁰⁹

Numbers have recently been strengthened further with a new class of 400 police recruits who graduated in January 2005 from a specialized 6-month law enforcement training program developed by the UN.¹¹⁰ Prospective recruits were fully vetted for fitness to serve, screening out those candidates with ties to drug trafficking and human rights abuses, by the Organization of American States

¹⁰⁵ U.S. Dept. of State – Bureau of Democracy, Human Rights, and Labor, Haiti: Country Report on Human Rights Practices – 2004 (Feb. 2005).

¹⁰⁶ Secretary-General of the United Nations (UN), Report of the Secretary-General on Haiti (April 2004).

¹⁰⁷ Id.

¹⁰⁸ U.S. Dept. of State – Bureau of Democracy, Human Rights, and Labor, Haiti: Country Report on Human Rights Practices – 2004 (Feb. 2005).

¹⁰⁹ Secretary-General of the United Nations (UN), Interim Report of the Secretary-General on the United Nations Stabilization Mission in Haiti, (Aug. 2004).

¹¹⁰ United Nations Stabilization Mission in Haiti (MINUSTAH), 393 Nouveaux Policiers Pour La PNH (Press Release – Jan. 21, 2005); and Secretary-General of the United Nations (UN), Report of the Secretary-General on the United Nations Stabilization Mission in Haiti, (November 2004).

(OAS).¹¹¹ Almost 200 of the 400 new police officers are former members of the military who were deemed fit for police duty.¹¹²

This brings total current HNP force strength to roughly 4,000 officers. However, even with such an increase, in a country of 8.3 million people, this number represents a ratio of only 1 police officer for every 2,075 people in Haiti. This is in stark contrast to the typical ratio in the Caribbean region of 1 police officer for every 400 citizens. It is estimated that the Government of Haiti, on its own, would need a minimum of 10,000 police officers (which translates to 1 officer for every 800 citizens) in order to maintain basic law and order throughout the country. Such a recruitment and training goal will require substantial assistance from the international community, for perhaps as long as four or more years.¹¹³

Training and professionalization (creating a disciplined, apolitical force) will continue to be a challenge for the Government of Haiti and the international community. To illustrate this, the current General Director of the HNP recently admitted that he had confidence in the competence and loyalty of only 1/3 of his current 4,000 officers (approx. 1,300).¹¹⁴ In-service management and professional development training will be important to breed appropriate leadership skills. Both the U.S. and Canadian governments are proposing funding to provide this type of training to the HNP by outside specialists.¹¹⁵

The current HNP force also faces problems in providing its officers with the proper equipment to carry out their duty. Many current officers do not possess firearms, bulletproof vests, and other standard law enforcement issue.¹¹⁶ Lack of communication gear is evident in that most officers (and existing police vehicles) do not possess radio equipment to coordinate police operations with other officers.¹¹⁷

¹¹¹ Secretary General of the Organization of American States (OAS), Second Quarterly Report of the Secretary General on the Situation in Haiti, (Jan. 2005).

¹¹² United Nations Stabilization Mission in Haiti (MINUSTAH), 393 Nouveaux Policiers Pour La PNH (Press Release – Jan. 21, 2005).

¹¹³ Secretary-General of the United Nations (UN), Report of the Secretary-General on Haiti (April 2004).

¹¹⁴ International Crisis Group, Haiti's Transition Hanging in the Balance, (Feb. 2005).

¹¹⁵ Secretary General of the Organization of American States (OAS), Second Quarterly Report of the Secretary General on the Situation in Haiti, (Jan. 2005); and Presentation by Mr. Anthony Beaver – Haiti Country Office Coordinator – U.S. Dept. of State – to the Governor's Haiti Advisory Group (Feb. 11, 2005).

¹¹⁶ Address by the Honorable Gérard Latortue – Prime Minister of the Republic of Haiti – to the Governor's Haiti Advisory Group, (Nov. 5, 2004).

¹¹⁷ Thomas M. Griffin, Center for the Study of Human Rights – University of Miami School of Law, Haiti Human Rights Investigation: November 11-21, 2004, (Jan. 2005).

There is also a shortage of reliable police vehicles. Many patrol vehicles provided by the international community 10 years ago, have fallen into disrepair because motor pool maintenance skills were never imparted to the fledgling HNP.¹¹⁸ Similarly, according to the U.S. Department of State, the Haitian Coast Guard (HCG - a sub-division of the HNP) is unable to provide sufficient waterborne patrols of coastal areas because its limited number of watercraft are subject to constant mechanical breakdowns.¹¹⁹

Then there are the problems related to appropriate police station infrastructure. In order to project its authority throughout Haiti, the HNP has an established 189 countrywide operational police departments/stations (or “commissariats”). This includes 10 department commissariats (provincial level), 46 arrondissement commissariats (county level), and 133 commune commissariats (city/town level).¹²⁰ As mentioned previously, many of these departments/stations were greatly vandalized and looted in the political upheaval of February 2004. Therefore, many of those stations that are still standing are in want of common office equipment (e.g. desks, filing cabinets, air conditioning units, etc.).¹²¹ The international community (notably the OAS) is working to rebuild police stations in certain areas of Haiti, but outfitting these stations with common office infrastructure will continue to present a challenge.¹²²

The U.S. government has budgeted \$10 million in the next federal fiscal year to assist the HNP with many of its on-going needs.¹²³ However, like most international governmental assistance packages, this financial pledge will need specific programs and implementing agents in order to provide actual support to the HNP.

¹¹⁸ Presentation by Mr. Anthony Beaver – Haiti Country Office Coordinator – U.S. Dept. of State – to the Governor’s Haiti Advisory Group (Feb. 11, 2005).

¹¹⁹ U.S. Dept. of State – Bureau for International Narcotics and Law Enforcement Affairs, International Narcotics Control Strategy Report – 2005, (March 2005).

¹²⁰ Secretary-General of the United Nations (UN), Report of the Secretary-General on Haiti (April 2004).

¹²¹ Presentation by Mr. Anthony Beaver – Haiti Country Office Coordinator – U.S. Dept. of State – to the Governor’s Haiti Advisory Group (Feb. 11, 2005).

¹²² Secretary General of the Organization of American States (OAS), Quarterly Report on Haiti of the Secretary General (September 2004).

¹²³ Presentation by Mr. Anthony Beaver – Haiti Country Office Coordinator – U.S. Dept. of State – to the Governor’s Haiti Advisory Group (Feb. 11, 2005).

Conclusion

This discussion has been intended to describe a number of challenges within the Haitian security environment. These challenges, however, point to opportunities for the State of Florida and the international community to provide long-term assistance to the Republic of Haiti, in order that future generations there will be assured peace and stability. UN peacekeeping forces are at near full strength now with 7,413 uniformed personnel on the ground and the security situation continues to improve daily.¹²⁴ But for lasting results, it will be necessary for the international community to make a long-term commitment to Haiti and avoid the “quick fix” approach. The next chapter will discuss specific ways in which the State of Florida can provide such long-term assistance.

¹²⁴ United Nations Stabilization Mission in Haiti (MINUSTAH), Haiti – MINUSTAH – Facts and Figures, (Feb. 28, 2005); and United Nations Security Council, Security Council Press Statement on Haiti – SC/8331, (Press Release – March 9, 2005).

Chapter 4 – SECURITY ASSISTANCE

“The international community could facilitate the vetting, capacity enhancement and certification of competencies and skills of these newly recruited officers [of the HNP]; offer on-the-job mentoring within a community-based policing approach; advice on setting up specialized units...; and provide training and refresher courses at the HNP Academy.”

UN Secretary-General, Report of the Secretary-General on Haiti,
(April 16, 2004).

Introduction

In the previous chapter, a general background on the security situation in Haiti was discussed, along with a review of several problematic areas for the country’s stability. These security issues present challenges to the Interim Government and the people of Haiti, but they also provide unique opportunities for the State of Florida to assist the Haitian people build a safer and more secure future.

This chapter will examine a number of ways in which the State of Florida, working in coordination with the international community, can possibly provide assistance with a number of Haiti’s problematic security areas and its underdeveloped public safety infrastructure. While this chapter provides a number of options considered by the Governor’s Haiti Advisory Group that further explain and support the Advisory Group’s broader security recommendations to the Governor, the possibilities discussed are in no way meant to be exhaustive. On the contrary, the Advisory Group hopes that the State of Florida will continually explore new ways to effectively assist its Caribbean neighbor of Haiti. Options discussed here, though, will provide a base from which the State of Florida can begin to address these security-related problems.

Assistance to the Haitian National Police

As outlined in the previous chapter, the Haitian National Police (HNP) faces a number of institutional challenges ranging from a lack of human and material resources to a lack of training and operational capacity. Through the testimony of expert security witnesses, presentations by the Haitian and U.S. governments, and the Haitian Government's *Interim Cooperation Framework 2004-2006 Summary Report*, the Advisory Group considered appropriate ways in which to bring Florida's demonstrated law enforcement strengths to bear in assisting the HNP.

Within the "Security, Police, and Demobilization, Disarmament, and Reintegration" focus area (Section 1.1), the *Interim Cooperation Framework Summary Report* lists a number of priorities for strengthening the HNP. Two of the most relevant priorities for Florida assistance are explained in the report as follows:

- Strengthening the Operational Capacity of the HNP: Increase its workforce to allow better coverage of the entire Haitian territory and its borders, and to address multiple threats, particularly insecurity and smuggling of all kinds, construction and rehabilitation of facilities; acquisition of materials necessary for its operation; strengthening of investigative capabilities through the increase in the number and quality of judicial police personnel; creation of a financial squad; strengthening of the action capacities of the specialized units.
- Professionalization of the HNP: Provision of human and material resources to the General Inspectorate to effectively fight corruption, impunity, human rights violations, disciplinary violations; improvement of police working and social conditions (status, promotion); and professionalization of management and agents through basic and continuous training.¹²⁵

¹²⁵ Republic of Haiti, *Interim Cooperation Framework 2004-2006 Summary Report*, p. 14, (2004).

In order to help accomplish some of these goals, the Advisory Group recommends the following:

Recommendation 5: The State of Florida should utilize its great expertise and experience in law enforcement, corrections, and public safety to assist the growth and professionalization of the Haitian National Police (HNP). The State should coordinate its efforts in this area with the United Nations Stabilization Mission in Haiti (MINUSTAH) and the Organization of American States (OAS), which are both currently facilitating police training/development programs in Haiti. Haitian police and corrections officials could possibly travel to Florida to receive advanced professional development training through entities like the Florida Department of Law Enforcement's Criminal Justice Executive Institute. Similarly, police and corrections officials from any number of Florida's state and local law enforcement/corrections agencies could be encouraged to travel to Haiti to serve as on-site technical consultants. The State of Florida should encourage municipalities with large Haitian-American populations to also engage their resources (e.g. Miami-Dade County, City of Miami, etc.).

Discussion

Law Enforcement and corrections training is one of the fundamental areas in which the State of Florida may be able to provide substantive technical assistance to the HNP (the Penitentiary Administration Directorate – Haitian Corrections - is a subdivision of the HNP).¹²⁶ As specified in the recommendation above, the Advisory Group believes that the State of Florida should coordinate any assistance it provides the HNP with training/development efforts that are currently being conducted by the international community. Therefore, in this regard, it may be practical for the State to pursue its efforts in close cooperation with the U.S. Department of State and other U.S. federal agencies, which regularly interface with MINUSTAH and the OAS. In fact, in its 5th meeting, the Advisory Group discussed these possibilities at length with Mr. Anthony Beaver, Haiti Country Office Coordinator with the U.S. Department of State's Bureau of Western Hemisphere Affairs. On this occasion, Mr. Beaver expressed that the State

¹²⁶ Id.

Department has a strong interest in utilizing resources available from the State of Florida to help strengthen the HNP.¹²⁷

Mr. Beaver further explained that the United States Government has budgeted \$6 million for the current federal fiscal year to be provided specifically for the development/strengthening of the HNP. And the State Department is proposing that a further \$10 million in federal foreign assistance funds be made available next fiscal year for HNP development efforts.¹²⁸ With these funds, the State Department hopes to provide the following areas of in-service and recruit training to the HNP:

- Forensic Program Development
- Human Rights
- Democracy and Governance
- Domestic Violence
- Use of Force Continuum
- Corruption/Ethics
- Supervision
- Management
- Investigation
- Rights of the Accused
- Crowd Control Techniques
- Special Weapons and Tactics (SWAT)
- Patrol Functions
- Report Writing
- Basic Correctional Officer Duties
- Specialized Management Training¹²⁹

Florida could undoubtedly assist in implementing a number of these areas. For example, there are 38 designated basic law enforcement and corrections training centers in Florida. These include the statewide Florida Highway Patrol Training Academy, Florida Corrections Academy, Florida Dept. of Environmental Protection's Public Education and Training Center, and the Florida Fish and Wildlife Commission Academy. This number also includes the basic recruit law enforcement academies attached to Florida's community colleges, private colleges, and vocational/technical

¹²⁷ Presentation by Mr. Anthony Beaver – Haiti Country Office Coordinator – U.S. Dept. of State – to the Governor's Haiti Advisory Group (Feb. 11, 2005).

¹²⁸ Id.

¹²⁹ Id.

centers.¹³⁰ Each center is required to be certified by the State of Florida's Criminal Justice Standards & Training Commission.¹³¹ And through the Florida Department of Law Enforcement (FDLE)'s Criminal Justice Professionalism Program, each training center must adhere to highly-developed, statewide curricula for Basic Recruit and Advanced Training, covering either police or corrections officers.¹³²

Basic recruit training will continue to present a challenge for the HNP. Currently, there is only one training center for law enforcement and corrections in Haiti, the HNP Academy. And while the standards of training there have greatly improved in recent months with a UN-developed curriculum and international police advisors, a single training center has inherent limits in its capacity. Only 400-600 recruits can be trained every six months at the HNP Academy.¹³³ In the best of circumstances, with maximum recruitment, this allows only 1,200 new police officers to be added to the HNP force by the time the new, elected Haitian government comes into office in February 2006.¹³⁴ While *any* additions to the HNP will help improve security, this small increase will still see Haiti well below the 10,000 law enforcement personnel deemed necessary to maintain minimum law and order in the country.¹³⁵

Any way in which Florida and its large assortment of law enforcement/corrections training centers can help the HNP's basic recruit training efforts could be useful. A number of possibilities exist in which this type of assistance could take place. For example, certain Florida training centers (perhaps those in areas with large Haitian-American populations) may be interested in developing specialized curricula, in coordination with the international community and FDLE, to provide basic police/corrections training to HNP recruits who would travel to Florida from Haiti. This may be especially useful for HNP recruits who already speak some English and could improve their language skills through "English As a Second/Foreign Language" (ESL/EFL) instruction. HNP recruits

¹³⁰ Criminal Justice Standards & Training Commission, "Criminal Justice Training Centers" website, (http://www.fdle.state.fl.us/cjst/training_resources/training_centers.html).

¹³¹ Chapter 11B-21, "Certification of Criminal Justice Training Schools", Florida Administrative Code.

¹³² FDLE Criminal Justice Professional Program, "Training Resources" website (http://www.fdle.state.fl.us/cjst/training_resources/index.html).

¹³³ Secretary-General of the United Nations (UN), Report of the Secretary-General on the United Nations Stabilization Mission in Haiti, (November 2004).

¹³⁴ International Crisis Group, Haiti's Transition Hanging in the Balance, (Feb. 2005).

¹³⁵ Secretary-General of the United Nations (UN), Report of the Secretary-General on Haiti (April 2004).

might also benefit by receiving training in Florida from Haitian-American police officers/trainers who speak fluent Haitian Creole. Overall, training outside of Haiti, in Florida, could provide HNP recruits with an exposure to sound law enforcement/corrections principles and techniques in a productive, effective environment.

There is also an opportunity for Florida trainers from the State's certified law enforcement and corrections training centers to travel to Haiti to serve as civilian police consultants. Currently, the U.S. government is providing 25 civilian police officers to assist the HNP through MINUSTAH.¹³⁶ This civilian police component of MINUSTAH, known as CIVPOL, has an authorized strength of 1,622 police officers. However, as of February 28, 2005, there were only 1,401 international civilian police operating in Haiti¹³⁷. This leaves a deficit of 221 authorized CIVPOL officers. If the U.S. contribution to CIVPOL could be increased, possibly with resources from the State of Florida, the HNP might have even greater support. This would allow Florida officers and trainers, especially those with the requisite language skills (Creole or French), to travel to Haiti for extended periods to provide training and guidance to the HNP as the agency grows. Indeed, CIVPOL consultants who speak Creole and/or French are currently in short supply.¹³⁸ However, Florida, due to its large Haitian-American community, has a large pool of Haitian-American police and corrections officers. It is estimated that in south Florida alone, there are over 125 Haitian-American police officers and over 50 Haitian-American corrections officers.¹³⁹ There even exists a "Haitian American Law Enforcement Officers Association," based in North Miami. Florida's Creole/French-speaking officers, who are also familiar with the culture of the country, are a unique resource in the developed world. They could undoubtedly play an extremely valuable role in strengthening the HNP.¹⁴⁰

Florida law enforcement and corrections trainers might also qualify as MINUSTAH "international civilian personnel," separate from the authorized number of CIVPOL officers. As trainers, these Florida

¹³⁶ Presentation by Mr. Anthony Beaver – Haiti Country Office Coordinator – U.S. Dept. of State – to the Governor's Haiti Advisory Group (Feb. 11, 2005).

¹³⁷ United Nations Stabilization Mission in Haiti (MINUSTAH), Haiti – MINUSTAH – Facts and Figures, (Feb. 28, 2005).

¹³⁸ Thomas M. Griffin – Center for the Study of Human Rights – University of Miami School of Law, Haiti Human Rights Investigation: November 11-21, 2004 (Jan. 2005).

¹³⁹ E-mail from Commander Gary Eugene, City of Miami Police Dept. – to Mr. Michael Pilver, Staff Director, Governor's Haiti Advisory Group, (March 17, 2005).

¹⁴⁰ Presentation by Mr. Anthony Beaver – Haiti Country Office Coordinator – U.S. Dept. of State – to the Governor's Haiti Advisory Group (Feb. 11, 2005).

consultants would not have to conduct actual operations and patrols with the HNP as CIVPOL does. Currently, the United Nations Security Council has authorized the presence of 548 international civilian personnel. However, as of February 28th, civilian personnel strength was only up to 359 – a deficit of 189 people.¹⁴¹

A greater number of international law enforcement and corrections trainers sent to Haiti might allow for a larger number of HNP recruits to be trained at one time. At present, the HNP Academy can only train 400-600 recruits in a six-month period, due in part to the fact that the Academy only employs 54 Haitian trainers. UN police consultants are assisting the Academy's local staff with a train-the-trainer-type program.¹⁴² But the possibility exists for more international law enforcement and corrections trainers, perhaps of Haitian descent, to travel to Haiti in order to provide direct training to HNP recruits (adhering to the official HNP/UN curriculum). Greater numbers of international consultants could also provide training to a larger number of local trainers through train-the-trainer programs, allowing the local HNP Academy staff to grow. And as explained by Mr. Beaver, of the U.S. State Department, upgrading the capabilities of the HNP Academy is one of the goals of U.S. foreign assistance to Haiti over the next fiscal year.¹⁴³

All of these measures might help in putting more HNP officers on the streets of Haiti and in the country's prison facilities in a shorter span of time. A larger Haitian police force, as well as properly-trained corrections officers, would undoubtedly bring greater security and stability to the country.

Another viable area of training that the State of Florida could provide to the HNP is advanced law enforcement professional development training. This could have a particularly positive influence on the HNP command structure, stressing professionalism and sound leadership/management skills. The State has an excellent resource at its disposal to this end in the Florida Criminal Justice Executive Institute administered by FDLE. Created by State statute in 1990 to provide continuing education and professional development to executives in Florida's law enforcement and corrections agencies, the Florida Criminal Justice Executive Institute (FCJEI) continues to provide highly-developed leadership and

¹⁴¹ United Nations Stabilization Mission in Haiti (MINUSTAH), Haiti – MINUSTAH – Facts and Figures, (Feb. 28, 2005).

¹⁴² Secretary-General of the United Nations (UN), Interim Report of the Secretary-General on the United Nations Stabilization Mission in Haiti, (Aug. 2004).

¹⁴³ Presentation by Mr. Anthony Beaver – Haiti Country Office Coordinator – U.S. Dept. of State – to the Governor's Haiti Advisory Group (Feb. 11, 2005).

management training for various supervisory levels within Florida's criminal justice community.¹⁴⁴ The following are some of the primary programs offered by the FCJIEI, as discussed in the Institute's annual *Report to the Florida Legislature*:

- The Chief Executive Seminar (CES) is offered to the agency chief executive in county, municipal and state criminal justice agencies. The CES is an in-depth program that teaches the fundamentals for success in managing criminal justice operations within Florida's ever-changing communities.
- The Senior Leadership Program (SLP) targets mid-level management in Florida's criminal justice community. The SLP is designed to provide continued education for the development and refinement of leadership skills for these professionals. Program participants...engage in a study of individual leadership skills, styles and characteristics, with applications to leadership in teams, organizations, and the community. Strategic thinking, strategic planning, innovative problem solving, and leadership of change are program components that...prepare criminal justice professionals to create and lead change in criminal justice organizations and in Florida communities.
- The Florida Leadership Academy (FLA)...was created to meet the need for formal training at the entry level of supervision. Therefore, FLA prepares first-line supervisors in criminal justice organizations to exemplify the character and integrity expected of criminal justice professionals. The program examines various components necessary to be an effective leader. Participants in FLA...learn skills necessary to support the needs of their agency and needs within the community. FLA exposes its participants to ethical dilemmas common in criminal justice and provides tools in exercising good judgment as a supervisor. Each module of curriculum provides further insight towards proactive problem solving, effective communication and related supervisory skills.¹⁴⁵

¹⁴⁴ Florida Criminal Justice Executive Institute, Report to the Florida Legislature, (Jan. 2005).

¹⁴⁵ Id. at 1-2

In addition to these core programs, the FCJEI regularly provides a number of Continuing Executive Development (CED) courses and Advanced Technical Subject seminars on specialized criminal justice topics.¹⁴⁶ To accomplish its wide breadth of training responsibilities, the FCJEI relies a great deal on outside expertise. Approximately 70% of instructors which train through the FCJEI are recognized experts in the field from outside the Florida criminal justice system. These experts include top law enforcement field practitioners, university professors, Federal Bureau of Investigation (FBI) trainers, private sector specialists, etc.¹⁴⁷

On February 11, 2005, the Governor's Haiti Advisory Group met with Mr. Terry Lewis, FDLE Bureau Chief responsible for the administration of the FCJEI. Mr. Lewis explained that the FCJEI's leadership training programs put a heavy emphasis on integrity and ethics. Particular focus rests on instructing criminal justice executives on how to maintain *professional* and *ethical* agencies. Mr. Lewis also stated that the FCJEI, and FDLE as a whole, is very interested in playing a key role with the State of Florida's overall efforts to assist the Republic of Haiti and the HNP.¹⁴⁸

The type of leadership and professional development training provided by the FCJEI could be of great value to the HNP. As discussed in the previous chapter, the widespread corruption and politicization of the HNP in the past have led to the agency's overall ineffectiveness in protecting the Rule of Law and ensuring public safety. Full professionalization (as opposed to politicization) of the HNP, with development of appropriate professional standards, is widely seen as the solution to many of the problems which plague the organization.¹⁴⁹ And indeed, "Professionalization of the HNP" is one of the main priority objectives of the Interim Government of Haiti, as expressed in the *Interim Cooperation Framework Summary Report*.¹⁵⁰

¹⁴⁶ Florida Criminal Justice Executive Institute, "Executive Education" website, (<http://www.fdle.state.fl.us/FCJEI/ced%20courses.htm>) (March 2005)

¹⁴⁷ Presentation by Mr. Terry Lewis – Bureau Chief, Florida Criminal Justice Executive Institute – Florida Dept. of Law Enforcement – to the Governor's Haiti Advisory Group (Feb. 11, 2005).

¹⁴⁸ Id.

¹⁴⁹ The Honorable Roger F. Noriega - Assistant U.S. Secretary of State for Western Hemisphere Affairs, "Haiti At the Crossroads of Democracy", (Remarks at the American Enterprise Institute - April 14, 2004).

¹⁵⁰ Republic of Haiti, Interim Cooperation Framework 2004-2006 Summary Report, (2004).

Florida could do a great deal to assist in the professionalization of the HNP by helping to develop a sound, principled command structure within the agency. Based on training programs outlined above, Florida entities, such as the FCJEL, could possibly develop Haiti-specific curricula that would particularly target the professional needs of the HNP. Specialists developing curricula would most likely need to make assessments of the HNP in Haiti to get a better understanding of the culture and certain institutional limitations. Once this was completed, training of supervisory-level HNP officials could take place in Florida. This would provide the future leaders of the HNP an opportunity to experience training in an effective and professional criminal justice environment.

Finally, Florida agencies and criminal justice personnel could provide a great deal of specialized technical training in many specific areas of need for the HNP. For example, many state and local agencies have a great deal of experience in the areas of: crime associated with gangs, forensics/crime scene investigation, counternarcotics investigations, canine units, marine patrol, motor pool maintenance skills, community policing, administrative skills, public corruption investigations, fraud investigations, financial crime investigations, violent crime investigations, domestic disputes, sexual crime investigations, crowd-control, special weapons and tactics (SWAT), etc.

Material Resources

Another area in which the State of Florida and the state's many law enforcement agencies may be able to help strengthen the HNP would be through the supply of material resources. Specifically, the donation of surplus equipment could be extremely useful.

As discussed in the last chapter, during the political upheaval of February 2004, many police stations and prisons/jails were extensively vandalized and looted. While the physical infrastructure of HNP facilities was always lacking, recent events have greatly exacerbated that situation. The buildings of many stations have been badly damaged or even destroyed. In response, the OAS is currently working to renovate or rebuild a number of stations in strategic areas of the country.¹⁵¹ However, in HNP facilities, there is a great need for common office equipment that Florida agencies take for granted. For example, most HNP stations lack desks, filing cabinets, air conditioning units, computers, and so forth. The U.S.

¹⁵¹ Secretary General of the Organization of American States (OAS), Quarterly Report on Haiti of the Secretary General, (September 2004).

State Department believes that Florida law enforcement/corrections agencies could be of great assistance to the HNP simply by helping to refurbish police stations with common necessities.¹⁵² Agencies that are moving out old office/station equipment to make space for new, more modern equipment could provide a great service by donating this material to the HNP.

Along similar lines, the HNP has a great need for other basic law enforcement equipment, such as radios and reliable vehicles.¹⁵³ Lack of radio equipment prevents proper communication between officers, and a lack of vehicles prevents police mobility. An illustration of this equipment problem can be seen with the BLTS (the HNP's counternarcotics division). The overall effectiveness of the BLTS in combating drug trafficking is limited, in part, because it has no reliable means of transportation outside of Port-au-Prince.¹⁵⁴

The HNP vehicle problem is not just limited to cars and trucks (which are both in great demand). For example, when a delegation of the Governor's Haiti Advisory Group traveled to Haiti in January 2005, it was told by HNP officials that there were only two police motorcycles operating in the entire country. Also, as mentioned in the last chapter, the Haitian Coast Guard (HCG – a subunit of the HNP), has only a very small number of poorly-maintained watercraft, which prevent it from conducting effective drug interdiction along the coasts or maintaining effective waterborne patrols in seaport areas.

As with station necessities, when Florida law enforcement agencies are modernizing their equipment stores and vehicle fleets, older (yet still operational) equipment/vehicles could be donated to the HNP. This could be anything from older radio systems from municipal/county agencies to older patrol boats from the Florida Fish and Wildlife Commission (which patrols Florida's waterways).

Assistance for Specialized Security Infrastructure

Recommendation 6: The State of Florida should support and encourage the rendering of technical assistance from Florida for

¹⁵² Presentation by Mr. Anthony Beaver – Haiti Country Office Coordinator – U.S. Dept. of State – to the Governor's Haiti Advisory Group (Feb. 11, 2005).

¹⁵³ Republic of Haiti, Interim Cooperation Framework 2004-2006 Summary Report, (2004).

¹⁵⁴ U.S. Dept. of State – Bureau for International Narcotics and Law Enforcement Affairs, International Narcotics Control Strategy Report – 2005, (March 2005).

specialized areas of Haiti's security infrastructure. Areas lacking adequate security programs that threaten the free flow of commerce and tourists, such as Haiti's seaport and airport facilities, should receive special attention.

Discussion

As explained in the previous chapter, certain specialized areas of Haiti's security infrastructure have serious systemic problems, preventing Haiti from meeting international security standards. Specifically, the security posture at Haiti's main airport, Port-au-Prince International (PAP), and the country's nine major seaports, has been deemed by international inspectors as inadequate and in great need of improvement.

Florida is in the perfect position to assist in these efforts. Because of geographic proximity, the state's airports, particularly those in south Florida, witness a great deal of air traffic to and from PAP. Florida is usually the last point of departure for many businesspeople, international aid workers, tourists, and government officials before arriving at PAP. Likewise, proximity also creates a natural trade route for shipping between Florida's seaports and those of Haiti. A great portion of Haiti's international trade takes place directly between these ports. Therefore, not only is Florida conveniently positioned to assist its Caribbean neighbor, it also lies within the Sunshine State's best economic and security interests to improve Haiti's security posture in these areas. If the free flow of goods, services, and people is obstructed because Haiti cannot become compliant with international security standards, Florida will suffer economically. And if Haiti cannot improve its security programs in these virtual gateways to the United States, public safety in Florida could become threatened.

Airport Security Assistance

Fortunately, through its 14 international airports and numerous regional airports, Florida has a wealth of resources to address Haiti's airport security deficiencies.¹⁵⁵ And due to the tragic events of September 11, 2001, airport security measures have been greatly upgraded at facilities throughout the state.¹⁵⁶

¹⁵⁵ Florida Airports Council, "Member Airports" website, (<http://www.floridaairports.org/membairports.cfm>) (2005).

¹⁵⁶ Florida Airports Council, Aviation in Florida – Vital to Florida's Economy, (2003).

An example of the type of assistance available from Florida was illustrated to the Governor's Haiti Advisory Group at their February 11, 2005 meeting on security issues. At this meeting, the Group held a teleconference with Mr. Bob Raffel, Senior Director of Public Safety at the Greater Orlando Aviation Authority (GOAA). Mr. Raffel explained that as a former security specialist with the Federal Aviation Administration (FAA), he served as a member of the U.S. Department of State's Antiterrorism Assistance Program. In this program, he provided a great deal of airport security training to officials at foreign airport facilities. Then as an FAA Security Manager in Orlando, Mr. Raffel worked closely with the GOAA to provide airport security training to foreign airport personnel. This training in Orlando was financed and coordinated through a special program of the Airports Council International (ACI). Officials from many developing countries, especially from Africa and the Caribbean (including Haiti), traveled to Orlando and other Florida cities to obtain a better idea of how aviation "best practices" are carried out in fully-functioning airports. Full curricula for these ACI "Study Tours" included everything from airport security to crisis management and runway maintenance. However, with the heightened security in the U.S. after September 11th, ACI Study Tours were temporarily suspended in Florida airports.¹⁵⁷

Now GOAA is once again prepared to offer ACI Study Tours at the Orlando International Airport. The Authority, through Mr. Raffel, expressed interest in being of particular assistance to Haiti, in order to help bring PAP up to international aviation security standards.¹⁵⁸ With this type of willingness in Orlando, one can assume that Florida's other international airports may also be interested in providing similar technical assistance.

ACI has recently created a Global Training Hub, geared toward improving airports worldwide, especially in developing countries. The specific objectives of the Global Training Hub are enumerated as follows:

1. To promote the sharing of airport management and operations knowledge and expertise among all ACI members;
2. To support the ongoing development of managerial and operational expertise at all

¹⁵⁷ Presentation by Mr. Bob Raffel – Senior Director for Public Safety – Greater Orlando Aviation Authority – to the Governor's Haiti Advisory Group (Feb. 11, 2005).

¹⁵⁸ Id.

airports, especially those in developing countries;

3. To provide financial and other resources available to meet the training needs of developing countries' airports;
4. to encourage the development of airport management and operations training services and to facilitate access to such services by ACI members, especially in developing countries;
5. To raise the level of general airport management and operations knowledge including relevant 'best practices' on a global basis.¹⁵⁹

ACI Study Tours at Florida international airports could help provide the type of training needed by airport officials in Haiti to bring PAP up to ICAO security standards (as discussed in the last chapter). This might be especially helpful for specialized personnel of the HNP responsible for certain elements of PAP's security posture.

Productive training, though, would need to focus on specific problem areas that the U.S. Transportation Security Administration (TSA) noted as security deficiencies in its assessments of PAP. While TSA assessment data is not usually released to the public for obvious reasons, the U.S. government may be willing to share general information with Florida airport security officials who hold federal security clearances. Anthony Beaver (U.S. State Dept.), who was present at the Advisory Group's teleconference with Mr. Raffel, said that his office was willing to connect Florida airport officials with TSA officials for possible information sharing on this subject. Mr. Beaver also stated that bringing airport security officials to Florida to observe and train at the state's airports could indeed be consistent with the U.S. Government's plans to upgrade Haiti's faltering security infrastructure.¹⁶⁰

¹⁵⁹ Airports Council International, "ACI Global Training Hub" website, (<http://www.airports.org>) (2005).

¹⁶⁰ Public Discussion with Invited Presenters at the 5th Meeting of the Governor's Haiti Advisory Group, (Feb. 11, 2005).

Seaport Security Assistance

As discussed previously, Haiti's seaport facilities (maintained by the National Port Authority - APN) will face major challenges in truly attaining and maintaining international port security standards. If Haiti cannot become fully compliant with ISPS-mandated standards, it stands to possibly lose its trading privileges with its compliant neighbors. To avert this potential economic disaster for Haiti, the U.S. Government has budgeted \$1 million to help bring the country's port security programs up to international standards.¹⁶¹

Florida and its 14 public deepwater seaports are uniquely positioned within the United States and the entire Caribbean Basin region to assist Haiti with its port security problems. Not only does the state lie in close geographic proximity to Haiti, but Florida is also regarded as having one of the most well-developed port security systems in the United States. As a result, Florida's 14 major seaports are considered to be among the safest in the nation, by industry insiders.¹⁶²

Much of this is due to the fact that the State of Florida has a legal system which mandates stronger port security standards than in many other parts of the U.S. (and certainly the region). Some of this even predates September 11th. Realizing the vulnerability of the state with its vast coastline and multiple ports (much like Haiti), the Florida Legislature enacted the country's first comprehensive seaport security law in the year 2000. The next year, the law became more structured. And then in 2002, after September 11th, the Legislature dramatically increased security requirements in all of the State's public ports with the passage of the "Seaport Security Act".¹⁶³

Enshrined in sections 311.12 and 311.125 of the Florida Statutes, the Seaport Security Act requires a number of minimum security features at all public ports within the state. As summarized by FDLE, these include:

- Required annual unannounced seaport inspections by FDLE

¹⁶¹ Presentation by Mr. Anthony Beaver – Haiti Country Office Coordinator – U.S. Dept. of State – to the Governor's Haiti Advisory Group (Feb. 11, 2005).

¹⁶² Florida Department of Law Enforcement, Seaport Security Under Florida Law 311.12 in 2004, (Jan. 2005).

¹⁶³ Florida Department of Law Enforcement, "Domestic Security Chief Provides Seaport Security Testimony to Congress" (Press Release – Aug. 5, 2002).

- Permanent law enforcement presence at certain high-traffic ports
- Physical infrastructure minimum standards for gates, fences, etc.
- Federal, state, and local law enforcement partnerships regarding port security
- Fingerprint background checks for all port employees
- Mandatory photo identifications for all port employees¹⁶⁴

These last two items allude to an access control program at Florida ports that has become the model for similar access control requirements in other states.¹⁶⁵ Realizing how important it is for overall port security to control what personnel have actual access to port facilities, the Florida Legislature specified the types of criminal history factors that would bar an individual from receiving port access credentials.¹⁶⁶ Similarly, Florida Statutes describe in detail the type of Uniform Port Access Credential System that must be utilized at all Florida seaports.¹⁶⁷

Finally, Florida law requires more stringent security inspections and compliance verification than does federal law applying to the rest of the United States. While U.S. Coast Guard rules for the implementation of the federal Maritime Transportation Security Act (MTSA) require U.S. ports to undergo inspection by the Coast Guard only once every five years, Florida law requires FDLE to perform a security inspection of Florida's public ports annually.¹⁶⁸ FDLE has even established specialized seaport security personnel within its organization to carry out its statutory obligations in this regard and to provide guidance to Florida ports in maintaining high security standards.

The U.S. Government has recognized Florida's preeminence in the realm of port security by awarding the state with over \$26 million in

¹⁶⁴ Id.; and Section 311.12, 311.125, Florida Statutes.

¹⁶⁵ Florida Department of Law Enforcement, Seaport Security Under Florida Law 311.12 in 2004, (Jan. 2005).

¹⁶⁶ Section 311.12, Florida Statutes.

¹⁶⁷ Section 311.125, Florida Statutes.

¹⁶⁸ Florida Department of Law Enforcement, Seaport Security Under Florida Law 311.12 in 2004, (Jan. 2005).

federal grants to support and maintain its unique programs. These are some of the highest federal port security awards made to an individual state post September 11th.¹⁶⁹

With such stringent security requirements for Florida seaports in mind, it stands to reason that Florida ports and port personnel have a great deal of expertise and experience that they could share with counterparts in Haiti. Opportunities exist for Haitian port officials to travel to Florida to receive specialized port security training from security specialists at Florida's ports. Also, Florida port officials could easily travel to Haiti to perform security assessments of Haitian port facilities and work with local authorities to bring those facilities up to ISPS-mandated standards. In fact, as a delegation of the Governor's Haiti Advisory Group learned when it traveled to Haiti in January 2005, the Haitian private sector is already beginning to communicate with Florida seaport officials expressing great interest in training and security assistance possibilities in Florida.¹⁷⁰

Perhaps the primary concern at this juncture is to ensure the safety and continuation of shipping commerce between Haiti and the United States. However, upgrading security programs at Haitian ports has the added benefit of reducing opportunities for drug smuggling. Such crime, indicated in the previous chapter as being a major problem in Haiti, was the original focus of Florida's more stringent port security programs. Prior to September 11th and a new focus on threats from terrorism, port security officials in Florida noted that a large amount of drug trafficking activity (and other crime) was taking place through the state's public seaports. As FDLE explains it:

Some of the insiders, workers on and around seaports and ships, were part of internal drug smuggling conspiracies.¹⁷¹

Florida seaport officials found that they could greatly lessen this activity by applying tighter security around the ports. If Haitian seaports can become more regulated by the Government of Haiti, with standardized security programs, it is very likely that drug

¹⁶⁹ Executive Office of the Governor, "Governor Bush Applauds \$19.7 Million Grant for Florida's Seaport Security," (Press Release – June 17, 2002); and Executive Office of the Governor, "Governor Bush Applauds U.S. Department of Homeland Security for \$6.7 Million Seaport Security Grant," (Press Release – December 10, 2003).

¹⁷⁰ Public Discussion between Representatives of the Haitian Private Sector and a Delegation of the Governor's Haiti Advisory Group, (Jan. 13, 2005).

¹⁷¹ Florida Department of Law Enforcement, Seaport Security Under Florida Law 311.12 in 2004, (Jan. 2005).

smuggling activity through the ports will also be decreased. With less opportunity for easy smuggling through Haiti's currently porous borders and uncontrolled ports, South American drug cartels may find their ready transshipment point in Haiti less and less hospitable.¹⁷²

Assistance in Securing Necessary Equipment

Recommendation 7: The State of Florida should encourage the U.S. federal government to re-examine its policies with respect to bans on non-military weapon and security equipment sales to legitimate Haitian law enforcement entities.

Discussion

On September 30, 1991, the government of Haitian President Jean-Bertrand Aristide was overthrown in a cooperative coup d'état by the Haitian military and police. In response, the Organization of American States (OAS) met on October 3, 1991 and adopted a strong resolution urging the international community to withhold all security, military, and police assistance, including the transfer of arms or munitions, until President Aristide was reinstated to power.¹⁷³ Following this, on October 9, 1991, the U.S. Dept. of State's Bureau of Political-Military Affairs temporarily suspended all licenses for the export of defense/police equipment to Haiti, pursuant to the federal Arms Export Control Act. However, the State Department noted that exceptions to this suspension could be made on a "case-by-case basis".¹⁷⁴ It was hoped that by withholding military/security-related assistance, the U.S. and the international community could isolate the military regime that had removed Aristide from office.

When the situation in Haiti did not improve and Aristide had not been returned to power, the United Nations Security Council issued Resolution 841 on June 16, 1993, formally creating an oil and arms (including police equipment) embargo between Haiti and all UN

¹⁷² U.S. Dept. of State – Bureau for International Narcotics and Law Enforcement Affairs, International Narcotics Control Strategy Report – 2005, p. 34, (March 2005).

¹⁷³ Organization of American States, MRE/RES. 1/91, OEA Ser.F/V.1, (Oct. 3, 1991).

¹⁷⁴ U.S. Dept. of State – Bureau of Politico-Military Affairs, "Suspension of Munitions Export Licenses to Haiti," (Public Notice 14961), Federal Register (Vol. 56, No. 196) (Oct. 9, 1991).

member states.¹⁷⁵ The U.S. formalized this decision within federal administrative law by amending the International Traffic in Arms Regulations, the implementing rules of the Arms Export Control Act. The amendment, going into effect on March 23, 1994, added Haiti to a “Proscribed List” of countries for which no U.S. export licenses could be granted for the transfer of defense/police matériel.¹⁷⁶

Several more stringent UN Resolutions followed expanding the arms/oil embargo to a full economic/trade embargo, before Aristide was returned to power on October 15, 1994. With Aristide serving as President once again, the UN Security Council determined that the political crisis in Haiti was over and that full relations with the country should be restored. Through UN Security Council Resolutions 944 (Sept. 1994) and 948 (Oct. 1994), the UN lifted all sanctions imposed on Haiti in previous resolutions, including the arms/oil embargo mandated in Resolution 841.¹⁷⁷ Despite this, however, Haiti remained on the U.S. International Traffic in Arms Regulations Proscribed List.

Currently, exportations of arms and police equipment from the United States to Haiti are prohibited under U.S. law. And this seems to be causing some problems with the rebuilding of the HNP. On November 5, 2004, the Governor’s Haiti Advisory Group heard testimony from Prime Minister of Haiti, Gérard Latortue, regarding ways in which the State of Florida could assist the Caribbean nation. Prime Minister Latortue explained to the Advisory Group that HNP officers could not be properly equipped with firearms and standard police equipment because the Government of Haiti was having difficulties importing this material into the country.¹⁷⁸

This same issue has been raised in recent months with the U.S. State Department. And the Department has stated:

Restrictions on arms exports remain in place. We continue to look for ways to be helpful to Haiti, and

¹⁷⁵ United Nations Security Council, Resolution 841 – S/RES/841 (1993), (June 16, 1993).

¹⁷⁶ U.S. Dept. of State – Bureau of Politico-Military Affairs, “Amendment to the International Traffic in Arms Regulations Proscribed List – 22 CFR Part 126,” (Public Notice 972), Federal Register (Vol. 59, No. 64) (April 4, 1994).

¹⁷⁷ United Nations Security Council, Resolution 944 – S/RES/944 (1994), (Sept. 29, 1994); and United Nations Security Council, Resolution 948 – S/RES/948 (1994), (Oct. 15, 1994).

¹⁷⁸ Address by the Honorable Gérard Latortue - Prime Minister of the Republic of Haiti – to the Governor’s Haiti Advisory Group, (Nov. 5, 2004).

will consider requests from the interim government pursuant to U.S. laws, regulations, and policies.¹⁷⁹

Presumably, the authority for the State Department to consider individual requests from the Government of Haiti is derived from the “case-by-case” exceptions clause of the 1991 Suspension of Munitions Export Licenses to Haiti under the Arms Export Control Act. The State Department most likely has understandable concerns regarding issues of stability in Haiti and the effect that unrestricted arms transfers could have on this situation. Indeed, the State Department is required under its established Conventional Arms Transfer (CAT) Policy to take into account certain factors when considering to allow arms transfers to other countries. Some of these factors which may relate to Haiti include:

- Appropriateness of the transfer in responding to legitimate U.S. and recipient security needs.
- Consistency with U.S. regional stability interests, especially when considering transfers involving power projection capability or introduction of a system which may foster increased tension or contribute to an arms race.
- The degree of protection afforded sensitive technology and potential for unauthorized third-party transfer, as well as in-country diversion to unauthorized uses.
- The human rights, terrorism and proliferation record of the recipient and the potential for misuse of the export in question.
- The ability of the recipient effectively to field, support, and appropriately employ the requested system in accordance with its intended end-use.
- The risk of adverse economic, political or social impact within the recipient nation and the degree to which security needs can be addressed by other means.¹⁸⁰

¹⁷⁹ U.S. Department of State – Office of the Spokesman, “Weapons Sales to Haiti and U.S. Contacts with Aristide,” (Question Taken at the October 15, 2004 Daily Press Briefing).

¹⁸⁰ U.S. Dept. of State – Bureau of Political-Military Affairs – Office of Regional Security and Arms Transfers, “Conventional Arms Transfer (CAT) Policy”, (2005).

Given the current security situation, it is understandable that the State Department may have some reservations about fully lifting arms restrictions to the country. However, it is hoped that as the situation continues to improve, with MINUSTAH troops taking a more proactive peacekeeping role, the State of Florida will be able to encourage the U.S. Government to continually reassess its arms transfer policies toward Haiti. This would be particularly important for non-military issue, police armaments and equipment. Without being able to adequately equip the HNP, the Government of Haiti's ability to provide long-term security for the Haitian people remains questionable.

Assisting the Electoral Process

Recommendation 8: The State of Florida should use its extensive past experience with organizing elections to provide technical assistance and support to the Republic of Haiti's Provisional Electoral Council (CEP), as this body prepares the country for national elections in November 2005. Peaceful and uncontested elections should be viewed as imperative for the future security and stability of Haiti. The State should utilize the Florida Department of State's Division of Elections and other appropriate organizations to render necessary technical resources. Emphasis should also be placed on working with Haitian-Americans in Florida to assist with the upcoming elections (as elections observers, etc.).

Discussion

As can be understood from the discussion of security problems in the previous chapter, much of the turmoil in Haiti is a result of political polarization and the lack of effective means for divergent groups to express their interests through the democratic process. Therefore, successful national elections in 2005 and the establishment of a foundation for fair elections in the future should become priorities in ensuring overall security in Haiti. The UN Secretary-General has explained it in the following way:

Given that the controversy surrounding recent elections played a large part in the political crisis of the last few years, the conduct of free and fair

elections at all levels will be a key element in the Haitian political and constitutional process.¹⁸¹

And indeed, the Interim Government of Haiti has made the preparations for elections a top priority.¹⁸² A Provisional Electoral Council (CEP) has been established with nine representatives from various sectors of Haitian society (political parties, civil society groups, religious groups, etc.). Primary responsibility for organizing national and local elections in Haiti rests with this body.¹⁸³ Accordingly, the CEP has decided that municipal elections throughout the country will take place on October 9, 2005 and that the national legislative and presidential elections will take place on November 13, 2005. If necessary, a second-round, run-off election for the legislature and presidency will take place on December 18, 2005.¹⁸⁴

However, in order for these elections to occur as planned, much still needs to be done. The Government of Haiti's *Interim Cooperation Framework Summary Report* outlines some of the following actions that the CEP will need to undertake:

- Consolidating its central functional structure as well as that of the Departmental Electoral Offices (BED) and Communal Electoral Offices (BEC), and providing for their means of operation.
- Preparing for the creation of voter lists. This involves undertaking new registrations (some 4 million Haitians of voting age) without being able to benefit from existing civil records, nor any administrative structure capable of creating and maintaining them.
- Reflecting on security aspects as well as on financing methods and the minimum regulation of political parties.¹⁸⁵

¹⁸¹ Secretary-General of the United Nations (UN), Report of the Secretary-General on Haiti, (April 2004).

¹⁸² Secretary General of the Organization of American States (OAS), Second Quarterly Report of the Secretary General on the Situation in Haiti, (Jan. 2005).

¹⁸³ Id.; and Secretary-General of the United Nations (UN), Report of the Secretary-General on Haiti, (April 2004).

¹⁸⁴ International Crisis Group, Haiti's Transition: Hanging in the Balance, (Feb. 2005).

¹⁸⁵ Republic of Haiti, Interim Cooperation Framework 2004-2006 Summary Report, p. 17, (2004).

The international community, particularly the UN and the OAS, are assisting the CEP with carrying out some of these functions. Specifically, the OAS has agreed to take on the responsibility of creating a voter registration system, while the UN has taken responsibility for organizing all other aspects of the electoral process, including the coordination of civic education programs and various technical assistance being offered through other organizations/agencies. Both the UN and the OAS have provided some training to the CEP members themselves on the proper conduct of free and fair elections.¹⁸⁶ Finally, the UN has signed an agreement with the Government of Haiti to provide a total election budget of \$44 million for the CEP (substantial contributions from the United States, Canada, and the European Union, combined with up to \$3 million from the Haitian Government).¹⁸⁷

In an effort to accomplish their mission, the UN and the OAS have expressed interest in working with outside organizations (or agencies) to render the most effective assistance to the CEP.¹⁸⁸ To this end, the State of Florida and private organizations within the state could provide valuable assistance.

Elections Assistance from Florida

In recent years, the State of Florida has had considerable experience in organizing and coordinating fair and efficient elections. After the 2000 Presidential elections, the State of Florida undertook a major campaign to overhaul its electoral system. The first phase of this began with the creation of Governor Jeb Bush's Select Task Force on Election Procedures. This bipartisan board developed a number of recommendations for how the electoral system in Florida could be reformed. Then, based on the Task Force's recommendations, the Florida Legislature enacted the sweeping Florida Election Reform Act in 2001. Some of the salient features of this law included:

¹⁸⁶ Memorandum of Understanding between the United Nations and the General Secretariat of the Organization of American States Concerning Electoral Assistance to Haiti, (Nov. 3, 2004); and Secretary General of the Organization of American States (OAS), Second Quarterly Report of the Secretary General on the Situation in Haiti, (Jan. 2005).

¹⁸⁷ United Nations Stabilization Mission in Haiti (MINUSTAH), "The International Community Approves a Project to Support the Organization of Elections in Haiti", (Press Release – Jan. 10, 2005).

¹⁸⁸ Secretary-General of the United Nations (UN), Report of the Secretary-General on the United Nations Stabilization Mission in Haiti, (November 2004).

- A requirement to use voting technology that is precinct-based and allow the voter to correct mistakes made while voting; included in this are prohibitions on punch-card and other antiquated voting systems in Florida
- A provision of funding to Florida's counties for the purpose of modernizing voting equipment
- A provision for the development of a standardized and unambiguous ballot design to be used in Florida's primary and general elections
- A provision of funding for the development of voter education programs and the recruitment and training of poll-workers
- A provision of funding for the development and implementation of a statewide centralized voter registration database
- A clarification and provision of standards for the procedures to be followed when recounting votes
- A clarification that vote totals are to be certified no later than 11 days following a general election
- A facilitation of absentee ballot voting by Florida's military and overseas voters¹⁸⁹

This was followed by further streamlining of the process in 2002 with the Florida Voter Accessibility Act. And then, largely based on the model and success of the new laws in Florida, the U.S. federal government enacted the nationwide Help America Vote Act (HAVA) in 2002. State law fully implementing the federal act was passed during a special session of the Florida Legislature in 2003.¹⁹⁰

However, the detailed execution of these laws - the streamlining of the entire electoral system in Florida - fell to the skilled professionals at the Florida Department of State's Division of Elections. The Division of Elections has a full-time professional staff in Tallahassee

¹⁸⁹ Executive Office of the Governor, "Governor Praises Bill to Create a World Class Elections System in Florida," (Press Release – May 4, 2001).

¹⁹⁰ Florida Department of State, "Governor Bush and Secretary Hood Announce Signing of the Help America Vote Act (HAVA) 2002 Implementation," (Press Release – July 24, 2003).

that provides year-round guidance to the 67 elected County Supervisors of Election throughout the state. The Division's electoral responsibilities are divided between three separate units, including the Director's Office (providing such functions as training programs for supervisors of election, certification of supervisors of election, voter education, regulation of mail ballot elections, and legal review), the Bureau of Elections Records, and the Bureau of Voting Systems Certification.¹⁹¹

With the elections experience noted above and the professional infrastructure to regulate elections, the Florida's Department of State's Division of Elections seems a prime candidate to provide technical assistance to the CEP for Haiti's crucial upcoming elections. Any such technical assistance could be coordinated through MINUSTAH, which is already working with outside organizations and agencies to provide technical assistance to Haiti's electoral system.¹⁹²

During the January 2005 mission to Haiti by a delegation of the Governor's Haiti Advisory Group, a special meeting was held with the CEP in Port-au-Prince. Members of the CEP explained that while they were very pleased with the level of support they were receiving from the international community, there was still much work to be done, in a very limited amount of time. The CEP was then specifically asked what the State of Florida could do to assist their efforts to organize and oversee Haiti's upcoming elections. In response, the CEP seemed favorably inclined toward assistance from Florida.¹⁹³ And in a letter that followed shortly thereafter from the CEP to the Advisory Group Chair, the CEP expressed that it would need all the technical, moral, and financial support possible. Specifically, the CEP noted that Florida might be able to provide technical assistance with civic education and data processing.¹⁹⁴

Finally, in both the meeting with the Advisory Group delegation in Haiti and the subsequent letter, the CEP stated that while it did not believe voting by the Haitian-American Diaspora would be possible for this election (because of great logistical constraints), it would

¹⁹¹ Florida Department of State – Division of Elections, 2003 Annual Report, (2004).

¹⁹² Secretary-General of the United Nations (UN), Report of the Secretary-General on the United Nations Stabilization Mission in Haiti, (November 2004).

¹⁹³ Meeting between Members of the Provisional Electoral Council of Haiti (CEP) and the Delegation of the Governor's Haiti Advisory Group, (Jan. 14, 2005).

¹⁹⁴ Letter from The Honorable Max Mathurin – President of the Provisional Electoral Council of Haiti (CEP) – to Ms. Marie Siclait Bell – Chair of the Governor's Haiti Advisory Group (English Translation) (Jan. 14, 2005).

welcome the assistance of Florida's Haitian-American community as elections observers in October and November.¹⁹⁵

To this end, the State may be able to encourage the assistance of Haitian-American organizations in Florida to provide assistance to the CEP. During the Advisory Group's deliberations, one such organization made known its willingness to help. At its February 11, 2005 meeting, the Advisory Group was provided a presentation by representatives of the Haitian Diaspora Voting Coalition, Inc. (HDVC). This organization, based in south Florida, has been organized specifically (among other goals) to provide both technical assistance and elections observers to Haiti for the upcoming electoral process. In a concept paper provided by the HDVC, the organization stated:

One of our goals is to help the Electoral Council plan in advance in order to avoid any mishap from happening during the elections. HDVC is willing to be involved in Haiti to help train, educate, and observe the elections. As Haitians educated, both in Haiti and the United States, we are well equipped to carry out this mission effectively. Being uninterested in any elected or appointed position in Haiti, we are more inclined to a just and inclusive electoral process and a positive outcome. Our understanding of the Haitian culture, laws, and mores qualify us to play this role. Moreover, we will be able to relate to the Haitian electorate and the actors involved in the process.¹⁹⁶

The HDVC has some technical resources, with an Advisory Board consisting of several elected officials and Haitian-American county elections officials. However, in order to effectively provide human resources to Haiti, the HDVC will most likely require the sponsorship of larger entities, such as the State of Florida.

¹⁹⁵ Meeting between Members of the Provisional Electoral Council of Haiti (CEP) and the Delegation of the Governor's Haiti Advisory Group, (Jan. 14, 2005); and Letter from The Honorable Max Mathurin – President of the Provisional Electoral Council of Haiti (CEP) – to Ms. Marie-Florence Siclait Bell – Chair of the Governor's Haiti Advisory Group (English Translation) (Jan. 14, 2005).

¹⁹⁶ Haitian Diaspora Voting Coalition, Inc. (HDVC), Highlight of the Diaspora's Participation in the Elections in Haiti, (Jan. 2005).

Assistance with National Reconciliation

Recommendation 9: The State of Florida should sponsor and host National Dialogue and Reconciliation talks in Florida for Haiti's various political parties prior to the national elections set to take place in Haiti in the fall of 2005.

Discussion

During its January 2005 visit to Haiti, the delegation of the Governor's Haiti Advisory Group hosted two forums in Port-au-Prince -- one to meet with representatives from the various political parties in Haiti, and one to meet with various representatives of civil society. Both forums were extremely productive and had some surprising results.

The meeting with Haitian political parties was well-attended by representatives of all the major parties, including Fanmi Lavalas and the opposition. These representatives discussed at length their diverging views on Haitian politics and debated on the course of future government in the country. However, the surprising element throughout the discussion was the demeanor in which it was conducted. While the partisans had divergent views, their debate was calm and without antagonism. Leading members of Lavalas were seen conducting productive interchange about the future of the country with leaders of the rebellion which unseated Aristide. And all representatives of different parties provided a very positive reception to the Haiti Advisory Group delegation. In fact, the different political leaders tended to look to the Advisory Group as neutral arbiters from the successful Haitian-America Diaspora. It seems that it was the delegation's very presence as the moderators of this event which allowed a peaceful and non-antagonistic exchange of views from very different sides of the Haitian political spectrum.¹⁹⁷

The civil society forum was much the same -- groups with a plurality of views and interests all coming together to discuss and debate openly and calmly. This forum, for instance, witnessed leaders of labor unions sitting side-by-side with leading members of the private business sector. These were elements that have traditionally been antagonistic toward one another. Yet their discussions were non-confrontational. Once again, it seemed that the Advisory Group's

¹⁹⁷ Meeting between the Delegation of the Governor's Haiti Advisory Group and Representatives from Various Political Parties (Jan. 15, 2005).

presence as the moderators of the forum provided the various interest groups the opportunity to peacefully debate Haiti's future.¹⁹⁸

Leading Haitian citizens observing these talks seemed as surprised as the Advisory Group delegation that the discussions took place without incident and in such a civilized, productive manner. One prominent Port-au-Prince resident who attended both meetings remarked that he believes that the forums marked one of the first times that all of these divergent groups had come together in which there was no "screaming" and open hostility.

The Advisory Group delegates returned to Florida and shared their experiences with the rest of the Group at their January 28, 2005 meeting. The discussants began to conclude that these forums in Haiti constituted the beginnings of a real National Dialogue.¹⁹⁹ While the international community has repeatedly stressed the need for this in order to move Haiti forward through transition, such dialogue has rarely materialized. However, aspects of a dialogue had indeed occurred during these forums.

This led the Advisory Group to consider whether further discussions between these divergent parties and groups might be possible as a way of increasing security through peaceful reconciliation before the upcoming elections. The Group came to the conclusion that similar forums should be held in Florida, which would likely be seen as neutral, non-threatening territory for all concerned.

The Group realized, though, that if such National Dialogue and Reconciliation talks were to be sponsored in Florida, they should be coordinated through the larger efforts which have already been launched. Organizations such as the United Nations and the OAS should be consulted as a way to consolidate efforts.

National Dialogue and Reconciliation – The General Perspective

According to the International Institute for Democracy and Electoral Assistance (IDEA) handbook entitled *Reconciliation After Violent Conflict*, the type of animosity currently seen between Haiti's divergent political groups is not at all uncommon:

¹⁹⁸ Meeting between the Delegation of the Governor's Haiti Advisory Group and Representatives from Various Civil Society Groups, (Jan. 15, 2005).

¹⁹⁹ General Group Discussion at the Meeting of the Governor's Haiti Advisory Group (Jan. 28, 2005).

In what are nowadays termed “post-conflict societies,” the pattern is generally that the warring sides negotiate a settlement in the form of new structures for government...So former enemies – often with a long history of violence between them – find themselves faced with the challenge of implementing the new negotiated structures for the future management of their differences on a minimally cooperative basis...based on antagonism, distrust, disrespect, and quite possibly, hurt and hatred.²⁰⁰

There is a way to address these problems, however. Increasingly, countries are turning towards “reconciliation” as a method of bringing about cooperation between former enemies in building a new country. IDEA’s handbook, for example, recommends such reconciliation in the following way:

Reconciliation underpins democracy by developing the working relationships necessary for its successful implementation...positive working relationships generate the atmosphere within which governance can thrive...Reconciliation is an overarching process which includes the search for truth, justice, forgiveness, healing...it means finding a way to live alongside former enemies.”²⁰¹

Reconciliation is a long, arduous process; there is no one recipe for success, and it is not a quick fix. For reconciliation to be effective, countries must commit wholeheartedly to the endeavor, from the most powerful politician to the most humble of citizens.

National dialogues have long been used as a means of reconciliation for nations torn by violence and political strife. One model for encouraging such dialogue and subsequent reconciliation is through truth commissions. Truth commissions have been held in several states, from Argentina to Zimbabwe.²⁰² The most prominent of these

²⁰⁰ David Bloomfield - Institute for Democracy and Electoral Assistance, Reconciliation After Violent Conflict: A Handbook, p.11. (2003).

²⁰¹ Id. at p.11-12

²⁰² Vora and Vora. “The Effectiveness of South Africa’s Truth and Reconciliation Commission.” Journal of Black Studies, Vol. 34 No.3, (Jan. 2004).

has been the South African Truth and Reconciliation Commission (TRC), which convened from December 1995 until March 2003.²⁰³

The framework for the TRC was laid out in the *Interim Constitution of South Africa*:

The adoption of this Constitution lays the secure foundation...to transcend the divisions of strife of the past, which generated gross violations of human rights, the transgression of humanitarian principles in violent conflicts and a legacy of hatred, fear, guilt and revenge. These can now be addressed on the basis that there is a need for understanding but not for vengeance, a need for reparation, but not for retaliation, a need for ubuntu (the African philosophy of humanism) but not for victimization. In order to advance such reconciliation and reconstruction, amnesty shall be granted in respect of acts, omissions and offences associated with political objectives and committed in the course of the conflicts of the past.²⁰⁴

Archbishop Desmond Tutu, the chairman of the Truth and Reconciliation Commission, stated that the intent of the TRC was to fully acknowledge the truth of the past in order to promote healing and reconciliation for the future. It was believed that only after this had occurred, could South Africa complete the transition into a democracy.²⁰⁵ To this end, the TRC held various hearings during which almost 22,000 people voiced their stories of abuses committed against them during apartheid. When the TRC completed the process in 2003, it had produced a seven-volume report.²⁰⁶

The TRC has been widely hailed for bringing to light the truths behind acts committed during apartheid. It has been considered highly successful, and a model for reconciliation dialogues in other countries.

²⁰³ Madeleine Fullard - Centre for the Study of Violence and Reconciliation. "Displacing Race: The South African Truth and Reconciliation Commission and Interpretations of Violence," *Race and Citizenship in Transition Series*, (2004).

²⁰⁴ Vora and Vora. "The Effectiveness of South Africa's Truth and Reconciliation Commission." *Journal of Black Studies*, Vol. 34 No.3, (Jan. 2004).

²⁰⁵ *Id.*

²⁰⁶ Madeleine Fullard - Centre for the Study of Violence and Reconciliation. "Displacing Race: The South African Truth and Reconciliation Commission and Interpretations of Violence," *Race and Citizenship in Transition Series*, (2004).

Today, South Africa has a republic form of government, with separate legislative and judicial branches. As an emerging economy with a stock exchange ranking among the top ten in the world, South Africa has seen economic conditions improve dramatically. The country's only major security issues at present are drug issues; political turmoil and internal stability no longer constitute a security risk for the country.²⁰⁷ The TRC has been commended in many circles for its perceived role in these successes.

Several resources have been developed to study the effectiveness of the TRC, and the role of reconciliation in the recovery process. These include the Centre for the Study of Violence and Reconciliation, and IDEA International. Both have developed resources for reconciliation dialogues, such as IDEA's "Reconciliation After Violent Conflict" handbook. These tools could prove helpful in applying the lessons learned through the South Africa TRC (and other reconciliations models) to the current situation in Haiti, highlighting the possibility of dialogue as a means to provide political stability. Political stability, once achieved, would improve security in the country, creating an environment conducive to the facilitation of improvement measures in areas ranging from public infrastructure and economic development to environmental protection and education.

Previous Attempts at Reconciliation in Haiti

In December 1994, former Haitian President Aristide issued an executive order, creating the Haitian National Truth and Justice Commission. Throughout the summer of 1995, a team of Haitians and human rights investigators traveled the country, taking testimony on human rights violations from the citizenry. However, the team was hampered by the people's fear of retaliation for their testimony. In an effort to allay these fears, the Commission decided not to publicize their efforts, though their work was made known throughout the country on a grassroots level. Following testimonials, the Commission organized the collected data into a database and then analyzed the information. Attempts were made to initiate special investigations, especially in the matter of political repression, but these efforts were hindered by a weak government, along with a prevailing view that justice was best "won on the street". In 1996, the Commission delivered its final report to Aristide. The report was not widely published, received no media attention, and did not result in the hoped-for investigations, or a

²⁰⁷ U.S. Central Intelligence Agency, The World Factbook 2004, (2005).

response to the violations of human rights, such as reparations for victims.²⁰⁸

Reconciliation Prospects for the Future

By examining past models of national reconciliation, valuable insights might be drawn for how the international community can best assist the Haitian people in coming together in open and honest dialogue. International observers have called for Haiti's national dialogue to be a process geared toward the country's productive future. International Crisis Group, a leading global think-tank focusing on conflict issues, explains it this way:

An inclusive process of national dialogue should be launched, aimed at brokering a pact among all Haitians that establishes national priorities to be taken up by an elected government. This needs to include not only those who forced the departure of the previous government but also those who, at one point, were its supporters...It is essential that the first stage [of the dialogue] take place as soon as possible with an agreement on security, an electoral code of conduct and a pact of governance subscribed to also by the main political parties and therefore binding upon whatever government is formed.²⁰⁹

The State of Florida, acting in coordination with the international community (e.g. the UN-MINUSTAH) could serve as an enabler for such a successful Haitian Reconciliation Dialogue. Florida could contribute in this way by providing a safe, neutral atmosphere in which dialogue can take place. Away from the atmosphere in which Haitian grievances fester, opposing political parties and victims of certain abuses may both feel more comfortable telling their stories, and discussing viable options for the future. Talks in Florida would also generate media coverage, increasing public awareness of the Haitian reconciliation process. These factors combined would almost certainly increase the effectiveness of the dialogue.²¹⁰

²⁰⁸ Fanny Benedetti, Center for Human Rights and Humanitarian Law - American University College of Law, "Haiti's Truth and Justice Commission." (<http://www.wcl.american.edu/pub/humright/brief/v3i3/haiti33.htm>) (1996).

²⁰⁹ International Crisis Group, Haiti's Transition Hanging in the Balance, p. 1, 9-10, (Feb. 2005).

²¹⁰ Luc Huyse – International Institute for Democracy and Electoral Assistance (IDEA), Reconciliation After Violent Conflict: A Handbook, (2003).

Florida has a unique opportunity to play a role in a historic Haitian reconciliation effort. It is important to bear in mind, however, that such a reconciliation effort must be entirely owned by the Haitian people. Though Florida and the international community may offer their assistance, the process must ultimately be a Haitian one. With these considerations in mind, Florida can undoubtedly offer a great deal of assistance in bringing the Haitian people together to collectively forge a brighter future.

Chapter 5 – THE CURRENT SOCIO-ECONOMIC SITUATION

“The socioeconomic situation in Haiti is alarming...The political crisis, poor governance, and economic instability have increasingly exposed the population to the precariousness and inadequacy of traditional survival mechanisms.”

Republic of Haiti, Interim Cooperation Framework 2004-2006 – Summary Report (2004).

Introduction

As previously discussed, in identifying priority areas in which to focus its attention, the Governor’s Haiti Advisory Group attempted to remain faithful to interests and goals of the Haitian people themselves. Therefore, it relied heavily upon the Government of Haiti’s *Interim Cooperation Framework 2004-2006 Summary Report*. Among the four “Strategic Axes” for Haiti’s reconstruction and transition, the report named Axis 3 as “Promote Economic Recovery”. In doing so, the transitional Government of Haiti recognized that economic development would be key to Haiti’s recovery and its long-term stability.²¹¹

The economic objectives explored by the transitional Government in the *Interim Cooperation Framework* were further emphasized to the Advisory Group when it met for its second meeting on November 5, 2004. This occasion provided the Group the opportunity to discuss economic development goals for Haiti with the Prime Minister, Gérard Latortue and a number of representatives from the Haitian private sector. Once again, it was made fully clear that Haiti would never achieve stability without real economic opportunities for a majority of its citizens. Endemic poverty and lack of jobs were

²¹¹ Republic of Haiti, Interim Cooperation Framework 2004-2006 Summary Report, (2004).

discussed as being at the root of many of Haiti's other problems. Only through addressing these areas would Haiti be able to find lasting solutions to other societal dilemmas. Accordingly, towards the end of this second meeting, the Advisory Group decided to focus on "Economic Development" as one of the principle areas of attention for its recommendations to the Governor.²¹²

In order for the Advisory Group to begin considering solutions to Haiti's economic problems, it was first necessary for the Group to gain a broad overview of the current socio-economic issues which confront the country. As the following socio-economic outline will illustrate, many of Haiti's problem areas, from public health to governance, are closely linked to the country's overall economic condition. Improvements in the Haitian economy, therefore, could bring progress in a number of different areas.

The Current Situation

It has often been said that Haiti is one of the least developed countries in the world and the poorest country in the Western Hemisphere. But these general statements lack specificity. In order to get a clearer image of the myriad problems currently facing Haiti, it is necessary to take a closer look at a number of individual socio-economic areas. Taken as a whole, these indicators paint a rather alarming picture of a country in crisis. However, this data has provided a foundation, informing the discussions of the Governor's Haiti Advisory Group and guiding the Group while it considered possible solutions.

[Editor's Note: All monetary figures discussed below are calculated in U.S. dollars.]

Haiti – Economic Indicators

As Haiti's continued economic distress has a number of negative effects on the health of the country, it also has its roots in a great many different problematic areas. The U.S. Department of State summarizes the situation in the following manner:

Haiti's economic stagnation is the result of earlier inappropriate economic policies, political instability, a shortage of good arable land,

²¹² Meeting of the Governor's Haiti Advisory Group, (Nov. 5, 2004).

environmental deterioration, continued reliance on traditional technologies, under-capitalization and lack of public investment in human resources, migration of large portions of the skilled population, a weak national savings rate, and the lack of a functioning judicial system.²¹³

- Gross Domestic Product (GDP): \$12.3 billion (2004 est.) – in Purchasing Power Parity (PPP)²¹⁴

According to the U.S. Department of State, Haiti's economy (in 2002) was divided into the following sectors:

1. **Agriculture** (27% of GDP): *Products*--coffee, mangoes, sugarcane, rice, corn, cacao, sorghum, pulses, other fruits and vegetables.
2. **Industry** (14% of GDP): *Types*--apparel, handicrafts, electronics assembly, food processing, beverages, tobacco products, furniture, printing, chemicals, steel.
3. **Services** (52% of GDP): Commerce, government, tourism.
4. **Indirect and Import Taxes** (7% of GDP).²¹⁵

- GDP Per Capita (in PPP): \$1,600 (2004 est.)

Comparative Values:²¹⁶

Haiti	Jamaica	Dom. Republic	United States
\$1,600	\$3,900	\$6,000	\$37,800

While Gross Domestic Product (GDP) measures the relative size of a country's economy, the GDP per capita provides a clearer image of a country's relative economic output according to its population. The U.S. Central Intelligence Agency ranks Haiti as the 186th country in the world according GDP per capita.²¹⁷

²¹³ U.S. Department of State, Haiti – Country Background Note, (Feb. 2005).

²¹⁴ U.S. Central Intelligence Agency, The World Factbook 2004 (2004).

²¹⁵ U.S. Department of State, Country Background Note: Haiti, (2005).

²¹⁶ U.S. Central Intelligence Agency, The World Factbook 2004 (2004).

²¹⁷ Id.

- GDP Real Growth Rate: -3.8% (FY 2003-2004 est.)²¹⁸

Estimates indicate that Haiti's economy shrank by a sharp 3.8 percent in the 2003-2004 fiscal year. The Economist Intelligence Unit explains this occurrence in the following way:

The adverse economic effects of the armed rebellion at the start of 2004, and the property damage, business closures and loss of business confidence in the wake of the conflict, coupled with the floods in May and September, contributed to an estimated contraction in the economy of 3.8% in the 2003/04 fiscal year. The deterioration in the security situation since the end of September threatens to continue to hold back prospects for growth in at least the first half in the run-up to the elections. However, international development assistance entering the country is expected to provide sufficient stimulus for the economy to emerge from the stagnation seen since 2000, allowing modest annual average GDP growth of around 3.3% in 2005-06.²¹⁹

- Remittances as a Percentage of GDP: 36% or \$977 million (2003)²²⁰
- Gross National Income Per Capita (in PPP): \$440 (2002)

Comparative Values:²²¹

Haiti	Jamaica	United States
\$440	\$2,690	\$35,400

- Unemployment Rate: 66% (2002 est.)²²²

²¹⁸ International Monetary Fund (IMF), Haiti – 2005 Article IV Consultation, Statement by IMF Staff, (March 2005).

²¹⁹ The Economist Intelligence Unit, Haiti: Country Outlook, (2005).

²²⁰ Inter-American Development Bank – Multilateral Investment Fund, Sending Money Home: Remittance to Latin America and the Caribbean,” (2004); and U.S. Central Intelligence Agency, The World Factbook 2004 (2004).

²²¹ World Bank Group, World Development Indicators 2004 (2004).

More than 66% of Haiti's economically active labor force was without formal employment in 2002.

Political instability, security concerns, and economic sanctions imposed upon Haiti by the international community after a coup against former President Aristide in 1991 have all had great affects on Haiti's unemployment rate. The U.S. Department of State explains the situation in the following way:

International sanctions culminated in the May 1994 UN embargo of all goods entering Haiti except humanitarian supplies, such as food and medicine. The assembly sector, heavily dependent on U.S. markets, employed nearly 80,000 workers in the mid-1980s. During the embargo, employment fell below 17,000. Private domestic and foreign investment has returned to Haiti slowly. Since the embargo's end, assembly sector employment has gradually recovered to about 30,000, but further growth has been stalled by investor concerns over safety and political instability.²²³

The Government of Haiti has also characterized the period of economic sanctions in the following way:

The Haitian population was also severely affected by the three years of embargo. Over the course of that decade, the textile sector, responsible for over three quarters of export revenue and significant share of employment, suffered greatly; tax collection and the control of public expenditures weakened considerably; and the maintenance of economic and social infrastructure was almost abandoned.²²⁴

²²² Id.

²²³ U.S. Department of State, Haiti – Country Background Note, (Feb. 2005).

²²⁴ Republic of Haiti, Interim Cooperation Framework 2004-2006 Summary Report, p. 3, (2004).

- Inflation Rate: 23.2% (2004 est.)²²⁵

Consumer prices in Haiti rose an estimated 23.2% between 2003 and 2004, after rising by 37.8% between 2002 and 2003.²²⁶

Some economic forecasters project the country's future inflation rates in the following way:

Aid inflows will support the currency, but will also pose a risk to the evolution of prices as they have the potential to produce a significant increase in the pressures driving inflation. For its part, the government is prepared to stem inflationary pressures, when these occur, through the sale of bonds. However, such a move would be weighed against the attempt to restore business confidence in the short term through boosting access to credit. Our forecast is that, after reaching 23.2% in 2004, annual average inflation will slow to around 16% in 2005-06.²²⁷

- Exports: \$321 million (2003 est.)²²⁸
 - Export Commodities (in rank order of importance): manufactures, coffee, oils, cocoa²²⁹
 - Export Partners: U.S. 83.8%, Dominican Republic 6.5%, Canada 3.2% (2003)²³⁰
- Imports: \$1.028 billion (2003 est.)²³¹
 - Import Commodities (in rank order of importance): food, manufactured goods, machinery and transport equipment, fuels, raw materials²³²

²²⁵ The Economist Intelligence Unit, Haiti: Country Outlook, (2005).

²²⁶ U.S. Central Intelligence Agency, The World Factbook 2004 (2004).

²²⁷ The Economist Intelligence Unit, Haiti: Country Outlook, (2005).

²²⁸ U.S. Central Intelligence Agency, The World Factbook 2004 (2004).

²²⁹ Id.

²³⁰ Id.

²³¹ Id.

²³² Id.

- Import Partners: U.S. 53.5%, Dominican Republic 5.9%, Colombia 2.9% (2003)²³³

Haiti had a trade deficit of \$707 million in 2003, more than twice the value of all of the country's merchandise exports.

- Florida Total Merchandise Trade w/ Haiti: \$647.5 million (2003)²³⁴
- Florida's Merchandise Imports from Haiti: \$266.6 million (2003)²³⁵
- Florida's Merchandise Exports to Haiti: \$380.9 million (2003)²³⁶

Compared with the value of Haiti's total merchandise exports, the numbers above indicate that approximately 83% of Haiti's exports are shipped to Florida, possibly for further transit elsewhere.

- Foreign Direct Investment (FDI) Inflows: \$2.9 million (2001)

Comparative Values:²³⁷

Haiti	Dom. Republic	Jamaica	United States
\$2.9 million	\$1.3 billion	\$6.2 billion	\$124 billion

Foreign Direct Investment flowing into Haiti has steadily declined from \$30 million in 1999 to \$13.2 million in 2000 to \$2.9 million in 2001.²³⁸

²³³ Id.

²³⁴ Enterprise Florida, Inc., "Florida's Merchandise Trade with Haiti" (Fact Sheet - 2004).

²³⁵ Id.

²³⁶ Id.

²³⁷ United Nations Conference on Trade and Development, FDI/TNC Database (2004).

²³⁸ Id.

Haiti - Social Indicators

- Total Population: 8.3 million (2002)²³⁹
- Overall Ranking on the UN Human Development Index: 153 out of 177 (2004)²⁴⁰

Every year, the United Nations Development Program ranks countries of the world, in its Human Development Index Report, based on their citizens' relative length of life, education, and standard of living. The composite index for each country takes into account a number of socio-economic indicators.

For the 2004 report, Haiti slipped three places in the country ranking from the year before, from 150th place to 153rd place. Haiti was also one of only three countries (along with East Timor and Yemen) outside of Africa to be ranked among the world's 30 least-developed countries.²⁴¹

For purposes of comparison, the United States ranked 8th out of 177 countries in the 2004 Human Development Index, Jamaica (a nearby Caribbean neighbor to Haiti) 79th, and the Dominican Republic (Haiti's neighbor on the island of Hispaniola) 98th.²⁴²

- Percentage of Population Below the Poverty Line: 80% (2003 est.)²⁴³

The increasing level of poverty in Haiti has alarming implications. The Government of Haiti described it this way the *Interim Cooperation Framework*:

The last few years have also witnessed a growing marginalization of most of the population, a very critical level of vulnerability, and the inadequacy of traditional survival mechanisms. This state of advanced impoverishment and decapitalization was qualified as the "silent

²³⁹ World Bank Group, World Development Indicators 2004 (2004).

²⁴⁰ United Nations Development Program, Human Development Report 2004 (2004).

²⁴¹ Id.

²⁴² Id.

²⁴³ U.S. Central Intelligence Agency, The World Factbook 2004 (2004).

emergency” in the United Nations’ PIR (Integrated Program of Response to Vulnerable Populations) document of March 2003.²⁴⁴

- Infant Mortality Rate: 74 deaths per 1,000 live births (2004 est.)²⁴⁵

Infant Mortality Rate is often viewed as a key indicator of a country’s overall health. Some researchers have found associations between high infant mortality rates and “state failure” or “political instability”.²⁴⁶

Comparative Values:²⁴⁷

Haiti	Dom. Republic	Jamaica	United States
74 per 1,000	33 per 1,000	12.8 per 1,000	6.6 per 1,000

- Percentage of Births Attended by Trained Medical Personnel: 24% (2002)²⁴⁸

This measurement indicates that an estimated 76% of all births in Haiti are not attended by trained medical personnel.

Comparative Values:²⁴⁹

Haiti	Jamaica	Dom. Republic	United States
24%	95%	98%	99%

- Maternal Mortality Rate: 523 per 100,000 live births (2002)²⁵⁰

This indicator measures the number of women who die while giving birth.

²⁴⁴ Republic of Haiti, Interim Cooperation Framework 2004-2006 Summary Report, p. 4, (2004).

²⁴⁵ U.S. Central Intelligence Agency, The World Factbook 2004 (2004).

²⁴⁶ State Failure Task Force, State Failure Task Force Report: Phase II Findings (1998).

²⁴⁷ U.S. Central Intelligence Agency, The World Factbook 2004 (2004).

²⁴⁸ United Nations Development Program, Human Development Report 2004 (2004).

²⁴⁹ Id.

²⁵⁰ Republic of Haiti, Interim Cooperation Framework 2004-2006 – Summary Report (2004).

- Average Life Expectancy from Birth: 49.5 years (2004)

Comparative Values:²⁵¹

Haiti	Dom. Republic	Jamaica	United States
49.5 years	66.7 years	75.7 years	77.1 years

- Prevalence of HIV/AIDS: 5.6% of adults (2003 est.)

Comparative Values:²⁵²

Haiti	Dom. Republic	Jamaica	United States
5.6%	1.7%	1.2%	0.6%

Haiti ranks as the country with the 20th greatest prevalence of adult HIV/AIDS in the world.²⁵³

- Percentage of Population That is Undernourished: 49% (2001)

Comparative Values:²⁵⁴

Haiti	Dom. Republic	Jamaica
49%	25%	9%

- Number of Physicians per 100,000 People: 25 physicians (2003)

Comparative Values:²⁵⁵

Haiti	Jamaica	Dom. Republic	United States
25	85	190	279

- Health Care Expenditure Per Capita: \$56 per person, per year (measured in US\$ in purchasing power parity – PPP, both public and private dollars, 2001)

²⁵¹ United Nations Development Program, Human Development Report 2004 (2004).

²⁵² U.S. Central Intelligence Agency, The World Factbook 2004 (2004).

²⁵³ Id.

²⁵⁴ United Nations Development Program, Human Development Report 2004 (2004).

²⁵⁵ Id.

Comparative Values:²⁵⁶

Haiti	Jamaica	Dom. Republic	United States
\$56	\$253	\$353	\$4,487

Haiti - Demographic Indicators

- Birth Rate: 33.76 births per 1,000 in population (2004 est.)²⁵⁷
- Death Rate: 13.21 deaths per 1,000 in population (2004 est.)²⁵⁸
- Population Growth Rate: 1.71% per year (2004 est.)

Comparative Values:²⁵⁹

Haiti	Dom. Republic	United States	Jamaica
1.71%	1.33%	0.92%	0.66%

- Population Trends:²⁶⁰

1975	2002	2015 (projected)
4.9 million	8.3 million	9.7 million

- Current Population Density: 293 people per square kilometer (2001)²⁶¹

The above population density measurement is equivalent to approximately 748 people per square mile.

Comparative Values:²⁶²

Haiti	Jamaica	Dom. Republic	United States
293/sq km	238/sq km	176/sq km	30/sq km

²⁵⁶ Id.

²⁵⁷ U.S. Central Intelligence Agency, The World Factbook 2004 (2004).

²⁵⁸ Id.

²⁵⁹ Id.

²⁶⁰ United Nations Development Program, Human Development Report 2004 (2004).

²⁶¹ United Nations Statistics Division. Demographic Yearbook 2001 (2001).

²⁶² Id.

The very crowded conditions in Haiti, relative to the countries mentioned above, put added pressure on the country's natural and economic resources. This is especially true in light of Haiti's strong population growth rate – projected to increase by over a million people in the next 10 years. As the population increases, the country's gross domestic product (GDP) per capita will likely decrease.²⁶³

Haiti – Education Indicators

- Percentage of Children Enrolled in Primary School: 65% (2003)²⁶⁴
- Percentage of Enrolled Children Who Complete Primary School: 35% (2003)²⁶⁵
- Percentage of Children Enrolled in Secondary School: 20% (2003)²⁶⁶
- Literacy: 52.9% of adult population can read and write (2003)

Comparative Values:²⁶⁷

Haiti	Dom. Republic	Jamaica	United States
52.9%	84.7%	87.9%	97%

Haiti – Environmental Indicators

- Percentage of Land Area Covered by Forests: 3.2% (2000)²⁶⁸

Haiti's forest cover declined from 5.7% of the country's land in 1990 to 3.2% in 2000.²⁶⁹ This represents an average loss

²⁶³ United Nations Development Program, Human Development Report 2004 (2004).

²⁶⁴ U.S. Department of State, Country Background Notes: Haiti (2004).

²⁶⁵ Id.

²⁶⁶ Id.

²⁶⁷ U.S. Central Intelligence Agency, The World Factbook 2004 (2004).

²⁶⁸ United Nations Statistics Division, Millennium Indicators Database (2004).

of 6,986 hectares of forest cover per year.²⁷⁰ It is estimated that there is less than 1% remaining today.²⁷¹

- Remaining Land Suitable for Farming: 28.3% (2001)²⁷²

While there is only 28.3% of arable land remaining in Haiti, an estimated 70% of the population relies on the agricultural sector of the economy. The greater the rate of deforestation in Haiti, the greater the erosion activity and the less arable land there will be available for farming.²⁷³

- Percentage of Pop. with Access to Potable Water: 71% (2002)

Comparative Values:²⁷⁴

Haiti	Dom. Republic	Jamaica	United States
71%	93%	93%	100%

While the total percentage of Haiti's population (both urban and rural communities) with access to potable water is 71%, the percentage of population in rural areas (the majority of the population) with access to potable water is only 59%.²⁷⁵

- Percentage of Pop. with Access to Improved Sanitation Facilities: 34% (2002)

Comparative Values:²⁷⁶

Haiti	Dom. Republic	Jamaica	United States
34%	57%	80%	100%

²⁶⁹ Id.

²⁷⁰ Food and Agriculture Organization (UN), Global Forests Resources Assessment (2000).

²⁷¹ Org. for the Rehabilitation of the Environment, A Brighter Future for Haiti (2004).

²⁷² U.S. Central Intelligence Agency, The World Factbook 2004 (2004).

²⁷³ Food and Agriculture Organization (UN), AQUASTAT Country Profiles (2000).

²⁷⁴ World Health Organization and UNICEF, Global Water Supply and Sanitation Assessment Report (2002).

²⁷⁵ Id.

²⁷⁶ Id.

Haiti – Governance Indicators

Many factors of governance have been conclusively linked to other socio-economic indicators and a country's overall development. High levels of corruption, for example, have been consistently associated with lower levels of capital formation, lower levels of foreign direct investment, and lower economic output measured by GDP per capita.²⁷⁷

- Annual Government Revenue: \$231.6 million (2003)²⁷⁸

The Republic of Haiti's annual government revenue falls in stark contrast to the government revenue (\$2.6 billion) collected by its neighbor, the Dominican Republic, which has a similar level of population (8.8 million).²⁷⁹

- Security Apparatus – Size of Police Force: 4,000 police officers (2005)

Given the current population levels in Haiti, this size of police force represents an approximate ratio of 1 officer for every 2,075 residents. The normal ratio of police officers to residents in the Caribbean region is 1 police officer for every 400 residents.²⁸⁰

- Control of Corruption: 0.5 Percentile Rank (2002)²⁸¹

According to a 2003 statistical analysis of wide ranging surveys on the quality of governance for 199 countries, only 0.5 % of countries ranked below Haiti in the perceived control of corruption.

²⁷⁷ Michael W. Collier, The Effects of Political Corruption on Caribbean Development (2002).

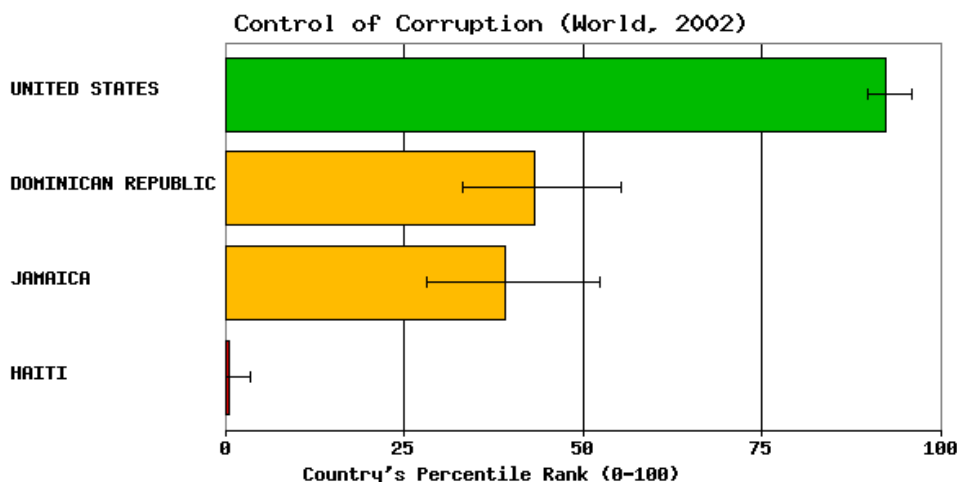
²⁷⁸ U.S. Central Intelligence Agency, The World Factbook 2004 (2004).

²⁷⁹ Id.

²⁸⁰ United Nations Security Council, Report of the Secretary-General on Haiti (2004); United Nations Security Council, Interim Report of the Secretary-General on the United Nations Stabilization Mission in Haiti, (Aug. 2004); and United Nations Stabilization Mission in Haiti (MINUSTAH), 393 Nouveaux Policiers Pour La PNH (Press Release), (Jan. 21, 2005).

²⁸¹ Kaufman, Kraay, & Mastruzzi, Governance Matters III: Governance Indicators for 1996-2002 (2003).

Comparative Values:²⁸²



Source: D. Kaufmann, A. Kraay and M. Mastruzzi, 2003: Governance Matters III: Governance Indicators for 1996-2002 (<http://www.worldbank.org/ubi/governance/pubs/govmatters3.html>)

The private sector in Haiti has recently been emphasizing the public monies lost due to corruption associated with smuggling and poor customs collection at Haiti's seaports. A private sector study released in December 2004, determined that \$87.75 million in government revenue was lost in FY 2002-2003 alone on certain imports which were not properly assessed customs duties. And this figure indicates revenue lost just on goods coming from the United States and the Dominican Republic (not counting other import sources), only through the provincial ports or the land border (not counting imports coming into Port-au-Prince).²⁸³ The Government of Haiti has also indicated that it may be losing as much as \$200 million per year on uncollected import duties.²⁸⁴ The problem of proper customs collection will be explored in greater in the next chapter.

- Regulatory Quality: 17.0 Percentile Rank (2002)²⁸⁵

Only 17 % of 199 countries ranked below Haiti in perceived government regulatory quality.

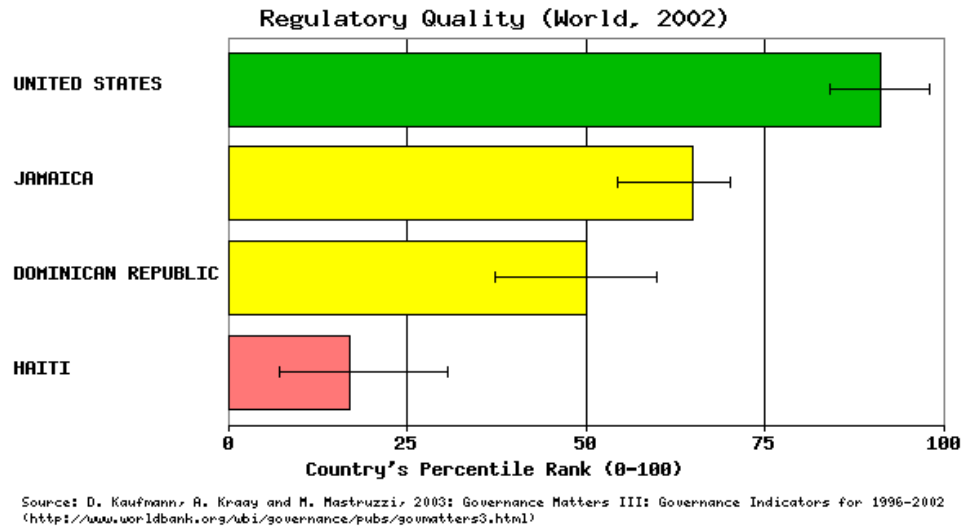
²⁸² Id.

²⁸³ Agro Products & Services, Tax Loss Due to Contraband – Haiti 2002-2003, (2004).

²⁸⁴ Meeting between Mr. Edouard Vales Jean Laurent – Director General of Haitian Customs – and a Delegation of the Governor's Haiti Advisory Group, (Port-au-Prince, Haiti - Jan. 13, 2005).

²⁸⁵ Kaufman, Kraay, & Mastruzzi, Governance Matters III: Governance Indicators for 1996-2002 (2003).

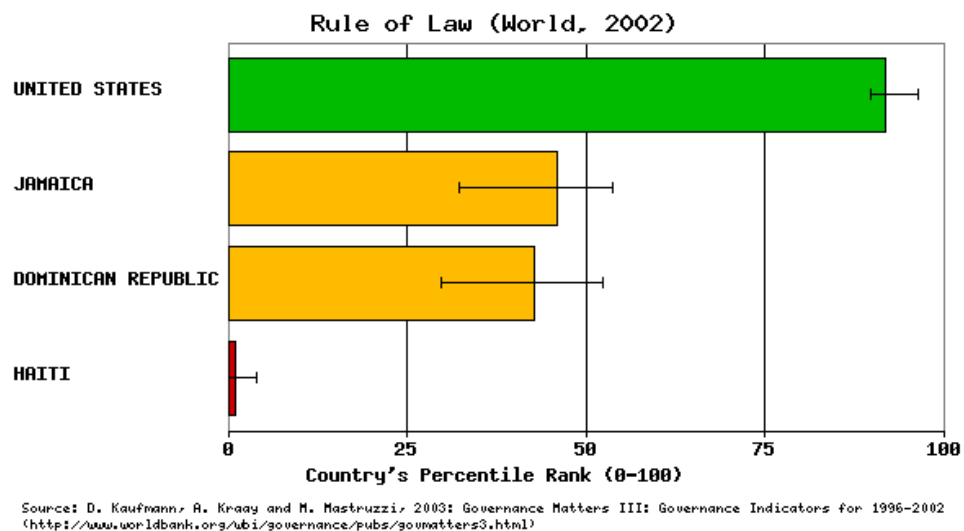
Comparative Values:²⁸⁶



- Rule of Law: 1.0 Percentile Rank (2002)²⁸⁷

Only 1 % of 199 countries ranked below Haiti in perceived adherence to the Rule of Law.

Comparative Values:²⁸⁸



²⁸⁶ Id.

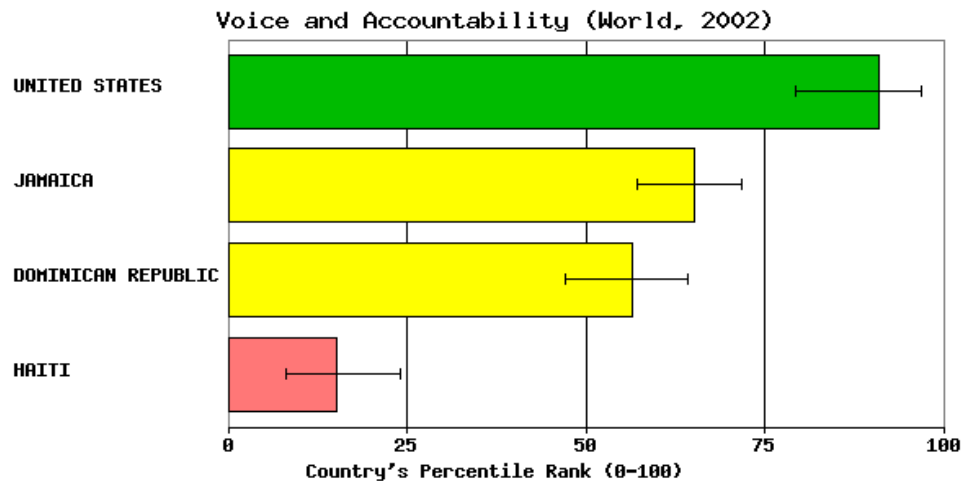
²⁸⁷ Id.

²⁸⁸ Id.

- Voice and Accountability: 15.2 Percentile Rank (2002)²⁸⁹

Only 15.2 % of 199 countries ranked below Haiti in the perceived participatory attributes of respective political systems and the level of civil liberties of respective citizens.

Comparative Values.²⁹⁰



Source: D. Kaufmann, A. Kraay and M. Mastruzzi, 2003: Governance Matters III: Governance Indicators for 1996-2002 (<http://www.worldbank.org/ubi/governance/pubs/govmatters3.html>)

- Political Stability and Absence of Violence: 14.6 Percentile Rank (2002)²⁹¹

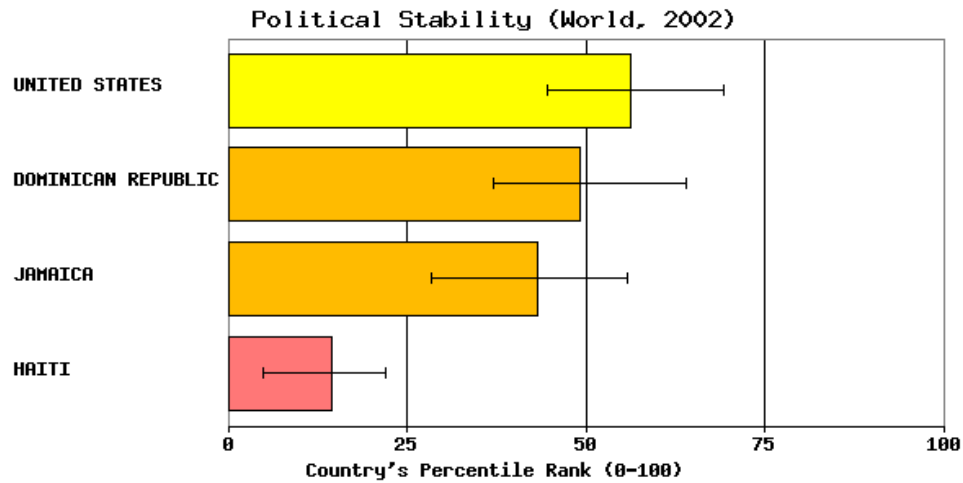
Only 14.6 % of 199 countries ranked below Haiti in perceived political stability and absence of violence.

²⁸⁹ Id.

²⁹⁰ Id.

²⁹¹ Id.

Comparative Values:²⁹²

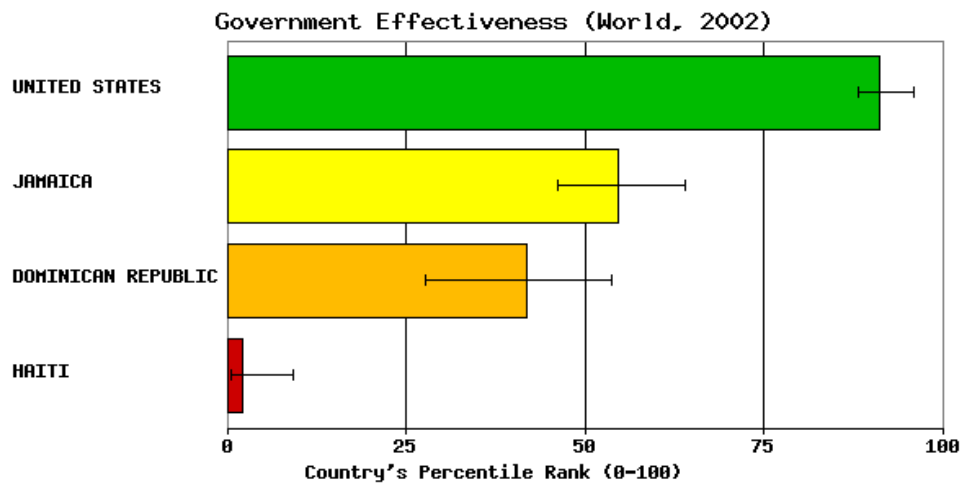


Source: D. Kaufmann, A. Kraay and M. Mastruzzi, 2003: Governance Matters III: Governance Indicators for 1996-2002 (<http://www.worldbank.org/ubi/governance/pubs/govmatters3.html>)

- Government Effectiveness: 2.1 Percentile Rank (2002)²⁹³

Only 2.1 % of 199 countries ranked below Haiti in perceived overall government effectiveness.

Comparative Values:²⁹⁴



Source: D. Kaufmann, A. Kraay and M. Mastruzzi, 2003: Governance Matters III: Governance Indicators for 1996-2002 (<http://www.worldbank.org/ubi/governance/pubs/govmatters3.html>)

²⁹² Id.

²⁹³ Id.

²⁹⁴ Id.

To its credit, the current transitional Government of Haiti has received praise from the international community for its reform-minded practices. In January 2005, Mr. Takatoshi Kato, Deputy Managing Director and Acting Chair of the International Monetary Fund (IMF)'s Executive Board described the transitional Government's performance in the following way, just prior to the release of \$15.6 million in Emergency Post-Conflict Assistance to Haiti:

The authorities have demonstrated strong commitment to improving public sector governance and transparency. Particularly welcome is the establishment of an Anti-Corruption Unit, publication of the central government budget, and commitment to full transparency of the financing schemes that have recently been made available to the private sector.²⁹⁵

However, it is clear that future governments of Haiti will need to diligently work to improve the perception of good governance. Only in this way, can outside, job-creating investment be attracted and internal stability be maintained.

²⁹⁵ International Monetary Fund (IMF), "IMF Executive Board Approves US \$15.6 Million in Emergency Post-Conflict Assistance to Haiti" (Press Release – Jan. 10, 2005).

Chapter 6 – ECONOMIC DEVELOPMENT ASSISTANCE

“It is a fact that for so many years, large groups of Haitians have been denied the right to find a job, the right to have a decent home, the right to be treated if they are sick. And I believe this is where lie the roots of insecurity. And there is one way to solve that – by creating jobs, by investing into the country, by promoting investment.”

Prime Minister Gérard Latortue,
Address to the Governor’s Haiti
Advisory Group (November 5,
2004).

Introduction

The previous chapter examined the alarming economic situation in Haiti and the social, governmental, and environmental factors closely associated with it. Many analysts also believe that economic distress is at the true heart of Haiti’s security and political stability problems. Whether one causes the other is unknown, but these crisis situations, like so many other problems in the Caribbean country, are unmistakably correlated.

In identifying economic development as one of its three priority areas on which to focus, the Advisory Group realized how key this objective is to so many other areas of improvement for Haiti. Without the development of lasting economic opportunities for the Haitian people, the country will forever be on the brink of a descent into chaos and suffering.

The Advisory Group recognized that Florida, with its vibrant, resilient economy has a great deal of business development experience and expertise that could be shared with its Haitian

neighbors. Just as important, is the state's ability to be an advocate for Haiti on issues that will affect both parties' economic future.

With all of this in mind, the Advisory Group considered a number of economic areas, from trade to tourism development, in which Florida's assistance could be most strategically utilized.

Trade Facilitation

Recommendation 10: In order to assist the Republic of Haiti in the collection of import duties on goods coming from Florida, the State should jointly explore with the Government of Haiti the establishment of a specialized Bilateral Trade Facilitation and Development Agency.

Discussion

In this challenging period of its economic development history, Haiti can only rely on scarce resources, except for its precious, yet under-utilized human capital.

The ability of the country to simultaneously expand and better manage its foreign trade constitutes a critical element to any long-term economic rehabilitation plan. It will also help the country fully regain its financial sovereignty.

For decades (and the foreseeable future) the State of Florida, has been (and will remain) the main trading partner of Haiti. Through its seaports (notably Miami, Port Everglades, and Palm Beach) and airports (primarily Miami International Airport - MIA), Florida supplies a large part of Haiti's imported capital and consumer goods.

Equally, our State is the closest and major destination and/or transit point for Haiti's own export products, primarily, textiles and other low-cost manufactured goods.

In its strong determination to act as a compassionate neighbor vis-à-vis one of its most underprivileged fellow Caribbean territories, the State of Florida is committed to facilitating two-way trade with, and direct investment into the Republic of Haiti.

This recommendation addresses the ways and means for the Republic of Haiti and the State of Florida to jointly achieve these

objectives through structured, bilateral cooperation and co-ordination.

Wherever and whenever deemed necessary, or statutorily required, the State of Florida will also advocate the adoption of the most appropriate foreign trade and/or policy by the U.S. Federal Government.

The proposed bilateral cooperation on trade facilitation and development should be implemented through a five-fold project, to be managed by a dedicated, joint, Haitian-Floridian agency (“The Agency”) which could assume the name “HaiTrade Florida”.

1. **Pre-shipment collection of import duties** on behalf and for account of the Ministry of Economics and Finance of Haiti (i.e. Treasury Department).
2. **Security pre-screening and customs pre-clearance** of Haitian export cargoes bound for the U.S.A., primarily via Florida ports.
3. **Promotion of foreign direct investment** in Haiti under the technical assistance and professional guidance of the relevant Florida public/private partnership body.
4. **Technical and operational assistance** to the Government of Haiti for the efficient, cost-effective and transparent **procurement** of capital and consumable **goods**, as well as of **services** to be purchased by all public Haitian administrations (with the exception of military and other restricted hardware and materials).
5. **Advocacy** for the adoption of trade facilitation **legislation**, (i.e. reduced or no-duty access to the U.S. market) for Haitian-manufactured goods.

1.) Pre-Shipment Collection of Customs Duties on Behalf and for Account of The Haitian Treasury

Background

Officials of the Republic of Haiti have recently expressed deep concern over their Government’s current inability to satisfactorily collect duties applicable to foreign goods imported into Haiti.

Given that Florida is reported to be the main source of importations for this Caribbean country (almost 60% of all U.S. exports to Haiti flowed through Florida in 2003; the U.S. represents the largest source of Haiti's merchandise imports),²⁹⁶ the Government of Haiti has been exploring possibilities for requesting the State of Florida's assistance and cooperation in enhancing Haiti's customs duties collection.

Fiscal Revenue in an LDC Context

Typically, in a lesser-developed country (LDC) such as Haiti, fiscal revenues often represent the sole source of revenue for the state. In such a fragile political and economic context, individual income tax is rendered meaningless by the very low income per capita of the population. Likewise, the assessment and collection of corporate and/or sales taxes suffer from a chronic lack of effective mechanisms and tools at the disposal of the state. As a consequence, customs duties/import taxes and excise will then constitute the primary, if not the sole source of revenue for the state.

Without effective collection through fiscal discipline, corruption-proof processes, and a comprehensive "net" in place to capture such revenue, tax evasion will remain rife. Consequently, Haiti will not be able to fund its state budget, neither regain its credibility with the international donors' community, nor to prove its willingness to restore good governance.

The Current Proven (and/or Suspected) Causes of Deficient Customs Duties Collection in Haiti:

- Smuggling: goods are landed in Haiti by unethical trade operators, using smaller provincial ports or unguarded land border crossings, thus avoiding all scrutiny by Haitian Customs Officers. Currently, only the goods discharged at Port-au-Prince are likely to be subjected to any measure of scrutiny. It is worth noting that a sizeable portion of that 'informal' trade may very well originate from the Miami River, which caters primarily for smaller coastal vessels.

²⁹⁶ U.S. Department of Commerce – Office of Trade and Industry Information – International Trade Administration, "Global Patterns of U.S. Merchandise Trade," (2005); and Enterprise Florida, Inc., "Florida's Merchandise Trade with Haiti" (Fact Sheet - 2004); and U.S. Central Intelligence Agency, The World Factbook 2004 (2004).

- Interference with the task of some Customs functionaries who are vulnerable to bribery or intimidation
- Deliberate under-invoicing or misclassification of imported goods, thus reducing their taxable value
- Failure on the part of Customs to collect duties prior to releasing the goods to the importing party, even when those duties have been properly assessed and certified
- Inability on the part of the Customs Administration to correctly assess the true market value of the goods, due to limited access to price information, poor staff training, lack of technology, workload, etc.
- Failure to reconcile shipping documentation and actual quality, quantity, and weight verification of the merchandise to be assessed and taxed.

How to Enhance Fiscal Governance Through Effective Duty Assessment and Collection

The priority should be to close any gaps or loop-holes traditionally exploited by unethical traders, notably by:

- Imposing a truly comprehensive physical/visual screening of import goods at the point/port of origin (i.e. prior to shipment)
- Verifying price, quality, quantity, weight, and applicable customs duty rate, also prior to shipment
- Collecting duties and taxes thus assessed before allowing the cargo to be shipped to Haiti

How Can the State of Florida Assist in the Pre-Export Collection of Customs Duties?

1. Advocate close cooperation between U.S. and Haitian Customs, whereby the former could provide, either on request or systematically, all information contained in the ship's manifest of all vessels leaving the ports of Florida which are bound for Haiti.

- Since U.S. Customs (U.S. Dept. of Homeland Security – U.S. Customs and Border Protection – CBP) records all export shipments in their register of statistics, reconciliation with Haitian Customs’ inbound information could ultimately become a very accurate means of identifying discrepancies.
2. Establish a bilateral Trade Facilitation and Development Agency
- The role of the Agency would be to ensure that effective ways and means are in place in Florida’s ports/shipping locations to ensure physical/visual verification of outbound shipments.
 - With price verification, customs classification, and cargo inspection performed prior to export, the combined outcome of the above would give rise to an ‘account payable’ to be settled by the exporter/seller in Florida or the importer/buyer in Haiti (or by the former on behalf of the latter).
 - All duties correctly assessed would be duly collected and deposited into a “Trustee Account”, operated under the authority of the Agency, and transferred to the Haitian Treasury, either directly in Haiti or into a foreign account held in Florida to be used, for instance, for government procurement.

Possible Options for the Proposed Bilateral Trade Facilitation and Development Agency:

1. A U.S. and Haitian Customs Cooperation Agreement could be signed by the U.S. Federal Government which could, in turn, sub-contract the State of Florida to perform duty collection within the framework of that agreement.
2. Establish a joint Haiti-Florida agency, with a bi-national supervisory board. Such agency would be incorporated, managed and operated on a commercial basis (i.e. with the ability to retain a contractual fee – of, perhaps, 1 – 2% of the tax assessed and collected to cover all operating costs).

It would not be advisable to entrust any existing private or public Florida agency with this responsibility so as to avoid

possible conflict of interest or misallocation of funds.
Equally, specific skills and experience would be required on the part of the Agency's staff.

Possible Impediments

- No constitutional provisions may exist either in Florida or Haiti for the establishment of such bi-national agency
- Political sensitivity
- Possibility that unethical traders may re-route their shipments via other countries, especially the Dominican Republic, where pre-export collection of duties would not be enforceable
- Need to implement a similar pre-export collection system in all other major countries of supply (including at border crossing with the Dominican Republic), so as to avoid third country transshipment or to prevent possible criticism of perceived discriminatory trade barriers

2) Security Pre-Screening and Customs Pre-Clearance of Export Shipments Bound for the U.S.

Presently, shipments originating from Haiti are subjected to intense scrutiny by the relevant Florida-based branches of the U.S. Department of Homeland Security (DHS) and other U.S. federal agencies.

This is justified by a number of major U.S. border protection measures, notably (but not exclusively):

- Drug trafficking interdiction (by the U.S. Drug Enforcement Administration – DEA - and other relevant agencies)
- Prevention of illegal immigration (by U.S. Citizenship and Immigration Services – USCIS - and other relevant agencies)
- Border Security, particularly in the prevention/deterring of terrorist actions against the United States.

Although no relaxation of the current rules and measures can be expected in the foreseeable future, possibilities already exist in a number of countries, for the implementation of bilateral border security cooperation, through various supply chain risk prevention agreements.

Accordingly, the Agency could study the feasibility and bring its support to the deployment of programs such as the Business Anti-Smuggling Coalition (BASC), Operation Safe Commerce (OSC), the Container Security Initiative (CSI), the Free and Secure Trade program (FAST), and the International Ship and Port Facility Security Code (ISPS), etc.

As is already the case with certain trading partners of the United States, DHS inspectors could be pre-positioned in Port-au-Prince to provide pre-screening of cargoes and pre-clearance of Customs. By “pushing the [U.S.] border out,” export shipments from Haiti, bound for the United States via Florida ports, could benefit from speedier security and customs processing on arrival, thus reducing costs incurred through delays currently disrupting “just-in-time” delivery” to their U.S. buyers.

A methodical (albeit possibly voluntary or random) search of such cargoes in Haiti, prior to shipment, could also strengthen the interdiction of drugs, contraband, terrorism, and illegal immigration.

To this end and in this regard, the role of the State of Florida and of its own agencies should essentially be to advocate such cooperation at the level of the United States Federal Government in Washington D.C.

3) Promotion of Investment (“HAITINVEST” or “INVESTHAITI”)

Because of its pivotal role and stature between the two states, the Agency will be ideally positioned to act as a foreign investment promotion bureau, along the lines of the following program:

The aim of the program is to attract, retain and facilitate inward direct investment in Haiti.

To effectively promote Haiti as a corporate location, “INVESTHAITI”/ “HAITINVEST” will provide the following services:

- To act as a representative office of the relevant public/private Haitian entity
- To actively promote Haiti as an attractive business location in the Caribbean
- To respond to enquiries from potential investors, by providing timely advice and practical assistance
- To assist with developing and revising annual business plans for promoting inward investment to Haiti
- To identify target companies in priority sectors and markets through desk research and networking
- To organize and support investment promotion visits by Haitinvest head office teams
- To develop links and networks with business multiplier organizations and the media
- To identify and attract potential investors for public utilities, designated for privatization

The primary objective of this program would be to significantly increase the direct investment from foreign companies along with other global and regional entities. The goal is to increase productive employment, the generation of hard currency, and the self-sustaining economic development of Haiti.

To obtain the desired objective, it will be necessary to elevate the image of the country as an emerging center of commercial opportunity in the sectors where the nation has competitive advantages, such as labor-intensive exporting of goods and services. For example, the development of tourism facilities, the development of the agro-industries, textiles, and electronic assembly.

The proposed mechanism to assist in achieving a sharp increase in foreign direct investment (FDI) and jobs would be as follows:

- A dedicated investment Promotion Bureau within the Agency, which would develop a comprehensive FDI program, in coordination with an external entity based in the United States, ideally in Miami-Dade County, which has credibility to advise foreign companies on targeted investment opportunities in Haiti.

- Partnership between the local business sector and the government is critical
- A “one-stop-shop” virtual place for interested investors. This should include the creation of a website to facilitate incorporation, corporate registration and posting of relevant investment incentives. The public-private partnership responsible for leading Haiti’s business retention, expansion and recruitment efforts should focus on growing high-value clusters that help to diversify the economy.

This new Bureau could also be funded in part by foreign (bilateral/multilateral) donors, as well as by the private sector.

The Bureau should be directed by a high level, bilingual executive with corporate experience in the global environment.

A contract with an external entity (consultant – selected through a competitive process) could be envisaged in order to develop an effective program of FDI, with an annual revision of the obtained achievements and weaknesses of the program for corrective action.

The ability to have access to key elected policymakers is essential. These officials should help with “big picture” issues such as competitiveness, marketing, urban/inner cities, rural development, and international trade and investment. The proposed organization should also work with a broad-based network group composed of: economic development organizations, workforce development organizations, business development organizations, regional planning councils, community colleges, universities, state agencies, and key business sectors organizations (among them ADIH, AmCham Haiti, CCI d’Haiti, etc.).

Suggested Program

Organization

The Bureau could be strengthened by an external Florida-based consulting company that possesses experience working with foreign investors. The consulting company would direct and coordinate the required activities from the perspective of foreign investors, in close coordination with the local entity.

Development Phases

The first phase consists of the elaboration of an investment promotional document (Information Memorandum) from the perspective of the foreign companies. This document would serve as necessary information for these entities to consider direct investment in Haiti. At the end of Phase I, the Information Memorandum will be presented directly to foreign companies and multinational entities. The Information Memorandum will cover the following topics:

- Country-risk analysis from the perspective of a company that would invest long-term
- A description of each specific opportunity by the investment sector and industry of the country, based on the competitive advantage of the nation
- A summary of the fiscal incentives offered to the direct foreign investors.
- Risk mitigation guarantees
- Testimonial letters from multinational and local companies that are satisfied with Haiti as a manufacturing/production center
- A review of improvements that have been made to the infrastructure of the country for export purposes, and for business climate issues

The second phase of the program would consist of significantly raising the level of foreign direct investment through direct and targeted marketing to foreign corporations in the sectors that show positive investment return, and/or a clear, long-term competitive advantage.

- Creation of a computerized database that contains the selected companies and their corresponding executive for target marketing
- The development of conferences in Haiti, and/or Florida, which should attract regional and/or global investors.

- Investment missions to Haiti with executives of pre-selected multinational and Haitian-American companies that demonstrate their interest (“road shows”).
- Preparation and creation of specific investment packages for companies that are interested in investment possibilities, including incentives.
- Preparation of favorable articles on Haiti in the financial and business news
- Development of a permanent center that would provide information about investment opportunities, such as an investor-oriented website

Measuring Performance of the Public-Private Partnership

- The number of full-time jobs created or retained;
- The wage level of new jobs (along with benefit packages);
- The success of the multinational companies which become involved with Haiti; and,
- The number of successful economic development projects and the overall satisfaction rate of the customer²⁹⁷

The Agency and, more specifically its investment promotion Bureau, could benefit from the proven “know-how” of Enterprise Florida, Inc. (EFI - the Florida’s public-private partnership responsible for the state’s business development and promotion activities). Following EFI’s model, the Agency could provide the following services for the promotion of investment into Haiti:

- Haitian Community Profiles – Provide detailed information about population demographics, major employers, cost of living and key contacts
- Site Identification Services – Help companies identify and examine Haitian communities that best fit their needs

²⁹⁷ Adapted from “How does the organization measure its results?” from the website of Enterprise Florida, Inc. (www.eflorida.com) (March 2005).

- Business Incentives/Tax Exemptions Assistance – Determine a company’s eligibility for business incentives from the Government of Haiti and/or tax exemptions and help eligible companies navigate the application process; coordinate with regional economic development organizations that offer similar incentives
- Special Needs Areas Information – Ensure companies are aware of specialized incentives and other inducements that are available for locating or expanding in Haiti’s urban and rural areas
- Financing Programs and Assistance – Coordinate financing programs that would help investing companies expand and grow in Haiti; Provide additional niche financing products
- Permitting and Regulatory Assistance – Facilitate meetings and communication between companies and various Haitian permitting and regulatory agencies, once a project is active
- Government Liaison – Facilitate meetings with key Haitian governmental ministries to expedite project activity
- Information – Provide a wealth of updated information about Haiti through an Info Center (which would contain useful data about Haiti’s economy and business opportunities)²⁹⁸

4) Government Procurement & Procurement Advisory Services (The Procurement Bureau)

Given its price verification capabilities, the Agency could possibly expand its activity into the field of government procurement.

The services of procurement specialists could be hired in order to allow the agency to act as a buying office for Haiti’s government departments, as well as for its various parastatal entities.

These procurement services could encompass the identification of needs, the selection of resources, and sources for the purchase of goods and services by way of effective, transparent tendering and request-for-proposal (RFP) procedures.

²⁹⁸ Adapted from “Enterprise Florida Services,” from the website of Enterprise Florida, Inc. (www.eflora.com) (March 2005).

One such source of low-cost procurement could be the State of Florida itself, and/or its agencies within the framework of its regular disposal (through auctions or otherwise) of used/pre-owned equipment (vehicles, IT hardware, office, hospital, school equipment furniture, etc.).

Such capacity would also give a high measure of reassurance to bilateral and multilateral and/or donor agencies as to Haiti's ability to prioritize its needs and disburse donors' funds in an effective, well-planned, cost effective, and transparent fashion.

Specific Tasks

- Management of the Procurement and Procurement advisory services and its work in tender and contract planning; development of processes; training of staff; tools and methods in the areas of the Bureau's responsibilities (administration of tendering procedures, evaluation and preparation of contracts for works, supplies, services, and grants)
- Prepare and issue RFP's, tender and contract dossiers, supervision of evaluation committees – short-listing of bidders
- Coordination of the different activities within the Procurement Bureau
- Dealing with claims and litigation relating to contracts and procurement
- Ensure compliance of the Agency with the applicable legislation and guidelines
- Identifying and assessing suppliers
- Pre-award research
- Inspection and quality control of suppliers/goods
- Pricing
- Contract performance verification

5) Advocacy with U.S. Federal Government

The Agency should use its intimate knowledge of key economic issues faced by Haiti, as well as its pivotal role in the development of trade and investment between the two states to make recommendations to the Office of the Governor of Florida, as well as to members of the Florida delegation in the U.S. House of Representatives and to the U.S. Senate.

This advocacy role should take into all due consideration the best interests of the State of Florida and those of the United States, within the framework of their respective relationships with the Republic of Haiti, while always adhering to a spirit of compassionate neighborliness and mutually beneficial actions.

The support for the HERO and/or HOPE Acts, as formally endorsed by the Governor's Haiti Advisory Group, provides a well documented example of the effectiveness of such advocacy function (see the "Advocating for Preferential Trade Agreements" discussion below for more information).

"HAITRADE FLORIDA" - STATUS, STRUCTURE AND MODUS OPERANDI

Legal Establishment

The Agency ("HaiTrade Florida") should be established by joint executive orders, or by any legislative act that may be constitutionally required.

Equal Authority Through Bilateral Supervisory Body

The supervisory body should hold a bilateral status and structure within which the Republic of Haiti and the State of Florida will act as equal stakeholders and partners.

This should be duly reflected in the composition of its board of directors and/or any supervisory body deemed appropriate.

Management

The operational, technical and financial management of the Agency should be entrusted to individuals selected on the basis of their experience, reputation, integrity and other professional merits. The principle of equal representation of Haitian and U.S./Florida citizens would be desirable, but not essential, so as to ensure that the right people are assigned the right position/functions, regardless of nationality. The hiring of Florida citizens of Haitian descent should be particularly encouraged.

Location

The Head Office of the Agency should be located in Florida, preferably in Miami-Dade County, so as to afford the Haitian public and private sector the full benefits of market access, availability of technology, direct coordination with the relevant state or federal agencies within Florida, extensive communications, and telecommunication links with the rest of the Western Hemisphere. There would also be the possibility of tapping into the human resources pool of the large, local, and well-trained Haitian community present in the county.

Equally, both the Procurement, as well as the Investment promotion Bureau would have direct access to their main potential sources in North America (USA and Canada).

Modus Operandi

The Agency will be a not-for-profit, self-funding organization. Nonetheless, it will meet all its financial needs by way of professional and/or technical fees to be charged for its various services.

Its capital expenditure and operating budget will be subject to the approval of the supervisory board and placed under the appropriate monitoring rules.

Use of External Consulting and Outsourcing Services

In order to secure the most efficient and cost-effective expertise, the Agency should be in a position to hire the services of specialized

organizations and/or technical experts in the fields covered by its mandate.

Such outsourcing will need the prior approval of the supervisory board. All costs incurred through sub-contracting will need to be fully recovered through fees charged to users.

Cooperation with Other Organizations

Wherever and whenever judged appropriate and effective, the Agency should liaise, communicate, and cooperate with private or public, Haitian or Florida entities sharing its purpose and/or objectives. These should include, among others, Enterprise Florida, The American Chamber of Commerce in Haiti (AmCham Haiti), the Haitian American Chamber of Commerce of Florida, the Florida Ports Council, the Haitian Manufacturers' Association (ADIH), the Florida Association for Volunteer Action in the Caribbean and the Americas (FAVACA), the Haitian Center for International Commerce (CCI).

Equally, the Agency should also establish close links with the Canadian Consulate General, the French Consulate General, and the Province of Québec Government Office located in Miami (all who have expressed great interest in assisting Haiti). Thus the Agency could contribute actively to cooperation plans agreed upon by the governments these entities represent.²⁹⁹

Promoting Haitian Business and Investment

Recommendation 11: The State of Florida should partner with appropriate organizations/agencies in Florida and Haiti (Enterprise Florida, Florida Chamber of Commerce, AmCham Haiti, Chamber of Commerce & Industry of Haiti, etc.) to sponsor a Haiti-Florida Trade Mission and Matchmaker Fair in which representatives of Haitian businesses can travel to Florida to meet with counterparts. Promotion of investment in Haiti, as well as networking and identification of export opportunities for Haitian products would be primary goals. A second trade mission from Florida to Haiti could

²⁹⁹ The preceding discussion on "Trade Facilitation" was adapted from a concept paper written by Mr. Jean-Michel Caffin, Member of the Governor's Haiti Advisory Group.

follow. As there is a need to enlarge the business sector in Haiti to provide for inclusive capitalism, the State of Florida should also:

- Identify and help facilitate an organization to create a “one-stop shop” for incorporation of business in Haiti to appeal to the Haitian-American Diaspora as potential investors.
- With possible technical assistance from entities such as Enterprise Florida - encourage the Republic of Haiti to liberalize its investment laws, strengthen its laws regarding property rights, and create a viable property records/registry system. Enforcing the Rule of Law should be stressed as a priority. All of this will serve to stimulate greater foreign direct investment into the country.

Discussion

When businesspeople consider the economic outlook for Haiti, they most often see the country as primarily a market for external products. Indeed, the country’s enormous trade deficit (\$1 billion in imports versus only \$321 million in exports in 2003), seems to perfectly illustrate this point.³⁰⁰ However, what is often not realized is Haiti’s great, yet undeveloped potential for the export of specialized products. Perhaps more important, for purposes of this discussion, is the role that the Haitian-American Diaspora can play in helping Haiti to realize this potential.

As part of its economic recovery strategy, the Republic of Haiti’s Ministry of Commerce, Industry, and Tourism has created a “Promotional Program for Haitian Agribusiness Products Destined to the South Florida Ethnic Market,” which began in January 2005. The year-long program aims to stimulate Haiti’s agribusiness export potential by specifically reaching-out to Florida’s Haitian-American community as consumers.³⁰¹ The program’s designers believe that Haitians living in nearby Florida constitute a ready-made market for specialized agricultural and processed food products from Haiti such as mangos, coffee (e.g. Haitian Bleu), cocoa, liquors (e.g. Barbancourt rum), mamba (Creole peanut butter), etc.³⁰² Such an idea is actually not so fanciful.

³⁰⁰ U.S. Central Intelligence Agency, The World Factbook 2004 (2004).

³⁰¹ Republic of Haiti – Ministry of Commerce, Industry, and Tourism, Promotional Program for Haitian Agribusiness Products Destined to the South Florida Ethnic Market – Work Plan – January – December 2005, (Jan. 2005).

³⁰² Id.

The Ministry of Commerce, Industry & Tourism is, in fact, embracing a larger movement within the developing world which aims to actively reach-out to diaspora communities in an effort to re-invigorate home-country economies. As the world becomes more and more “transnational,” growing immigrant populations in developed countries (such as the United States) are increasingly able to contribute to the economic health of their lands of origin. Much of this is by way of remittances to relatives and friends, as discussed in Chapter 2. There is also, though, an expanding trade in “nostalgic” or “ethnic” goods between home countries and their scattered diaspora communities.³⁰³ While many immigrants from LDC’s were forced to leave their lands of origin in order to find greater economic opportunities elsewhere, they are still very culturally and sentimentally attached to their home-countries. This creates a niche market for exports that are unique to certain locales. According to the Inter-American Dialogue:

Such products...have the potential to reach a wider market and become highly profitable particularly for small and medium-sized enterprises (SME’s)...Nostalgic trade is not marginal...over 75 percent of immigrants buy a range of home country products.³⁰⁴

An example of nostalgic exports from Haiti can be seen with the Aid to Artisans Program (ATA), funded by the U.S. Agency for International Development (USAID). The program assists local artisans by marketing their products (paintings, handicrafts, etc.) for export trade. Since the ATA program began in Haiti in 1999, it has created 10,600 short and long-term jobs for local artisans and has sold over \$1.1 million in Haitian art.³⁰⁵ A significant portion of this art has been purchased by Haitian immigrants living abroad.³⁰⁶

For its part, the Haitian Ministry of Commerce, Industry, & Tourism has a structured plan for agribusiness products that hopes to allow:

- Setting-up of a Trade Information System
- Market Surveys on South Florida Ethnic Markets targeting agribusiness

³⁰³ Michelle Lapointe - Inter-American Dialogue and The World Bank, Diasporas in Caribbean Development, (Aug. 2004).

³⁰⁴ Id. at p. 3-4

³⁰⁵ Aid to Artisans (ATA), Fact Sheet on Aid to Artisans’ Program in Haiti, (2005).

³⁰⁶ The Honorable Brian Dean Curran – Former U.S. Ambassador to Haiti, “The Year in Florida: Enhancing Haiti-Florida Ties” (Speech – Jan. 14, 2003).

- Product development: adaptation or improvement of existing products for better meeting the needs of export markets whether at the level of taste, conservation/sustainability, conditioning and packaging
- Sales promotion of agribusiness products (participation in trade fairs, market prospecting, sales promotion, promotional support, etc.)³⁰⁷

All of these objectives lie within the realm of expertise of Florida organizations or state government agencies. For example, EFI's International Trade and Business Development division has substantial experience in developing on-line databases that compile intelligence on trade/export opportunities (e.g. Electronic Trade Leads Network). EFI also regularly conducts both in-bound and out-bound trade missions in which Florida companies are matched with counterpart organizations to facilitate business partnerships.³⁰⁸ Similarly, organizations like the new Haitian American Chamber of Commerce of Florida (affiliated with AmCham Haiti - set to begin operations on April 11, 2005) could undoubtedly provide assistance in reaching-out to the Haitian-American community of south Florida and help to conduct market research to determine the demand for certain Haitian agribusiness products, etc. In addition, state agencies, such as the Florida Department of Agriculture and the Florida Department of Citrus, would likely be able to provide technical assistance to the Ministry of Commerce, Industry, & Tourism on agribusiness product development (conservation, packaging, level of taste, etc.).

There are some promising agribusiness opportunities in Haiti that may also interest Florida importers and distributors. For example, Haitian coffee is becoming a sought-after commodity in the United States and Europe. Specifically, a specialized gourmet blend called "Haitian Bleu" has been reviewed by some coffee aficionados as one of the best tasting coffees in the world.³⁰⁹ In 2004, despite political instability, Haiti was able to export a record volume of coffee, valued at \$548,727.³¹⁰

³⁰⁷ Republic of Haiti – Ministry of Commerce, Industry, and Tourism, Promotional Program for Haitian Agribusiness Products Destined to the South Florida Ethnic Market – Work Plan – January – December 2005, (Jan. 2005).

³⁰⁸ Enterprise Florida, Inc. (EFI), "Enterprise Florida Services," (website) (www.eflora.com) (March 2005).

³⁰⁹ Harold Maass, "Haiti's Fields of Dreams – Haitian Bleu Java Tries to Find Niche with U.S. Coffee Lovers," South Florida Sun-Sentinel, (June 22, 1997).

³¹⁰ U.S. Dept. of State – Bureau of Western Hemisphere Affairs, "U.S. Accomplishments in Haiti – 2004", (Fact Sheet – Jan. 12, 2005).

Florida also has models from which to work in helping to promote Haitian products through trade missions/matchmaking fairs. In June of 2003, USAID worked with the Florida Association for Volunteer Action in the Caribbean and the Americas (FAVACA) to organize a “Haitian Business Linkage Seminar” in Miami. This trade show brought 20 Haitian businesses, who were associated with the USAID-funded Hillside Agricultural Program, from Haiti to meet with prospective importers and distributors. Approximately 200 Haitian-Americans from Florida’s Diaspora community also participated. The matchmaking fair forged business linkages that were further strengthened through a later “Buy Haiti” promotional campaign for Haitian products.³¹¹

Small Business Development

Additional opportunities for Florida to assist Haitian businesses in moving a greater volume of exports through the state rest on small business development. A separate component of the Ministry of Commerce, Industry, & Tourism’s agribusiness promotional program calls for “Technical Support for the Strengthening of Agribusiness Production,” including:

- Feasibility studies and design of individual business plans for SMEs/SMIs
- Technical support to reorganization, company management leveling
- Support to the certification of export companies
- Human resource development³¹²

However, Haiti’s private sector has some major limitations in these areas. As noted in the Government of Haiti’s *Interim Cooperation Framework*:

The private sector consists of a large number of informal-sector micro-enterprises, often under-

³¹¹ Florida Association for Volunteer Action in the Caribbean and the Americas (FAVACA), “FAVACA Promotes Haitian Goods”, *Communiqué*, vol. 19, no. 4, (2003); and “FAVACA Business Linkage Seminar” (Fact Sheet – July 2003).

³¹² Republic of Haiti – Ministry of Commerce, Industry, and Tourism, Promotional Program for Haitian Agribusiness Products Destined to the South Florida Ethnic Market – Work Plan – January – December 2005, (Jan. 2005).

capitalized and marked by extreme heterogeneity. At the top, a few large groups attract most of the investments. There are relatively few SMEs/SMIs. The productive fabric is very weak. The majority of operations are commercial. The value of imports is six times larger than that of exports.³¹³

Such problem areas, though, are certainly not beyond Florida's realm of expertise. For example, Florida has a developed infrastructure in place for the growth and strengthening of the state's SME's in the Florida Small Business Development Center Network (SBDC). Funded by Florida's State University System and the U.S. Small Business Administration, SBDC's mission is to provide:

...emerging and established business owners with assistance enabling overall growth and increased profitability that contributes to the economic prosperity of the state.³¹⁴

By providing technical assistance in the form of free one-on-one business counseling with certified business analysts and larger group business training sessions, SBDC is able to offer support to the state's small and medium-sized businesses. Counseling and training topics cover everything from business plan development and market research to business management and export/import trade.³¹⁵ In 2004 alone, SBDC assisted with the establishment of over 500 new businesses in Florida and counseled over 12,300 individual entrepreneurs.³¹⁶ In all of these endeavors, SBDC operates under the guiding principles of 1) Service excellence, 2) Productivity and continuous improvement, 3) Excellence in reputation, 4) Recognition and respect for all employees and clients, 5) Honesty and integrity.³¹⁷

The development of SME's in Haiti will be extremely important for greater export opportunities in the "nostalgic market" as well as

³¹³ Republic of Haiti, Interim Cooperation Framework 2004-2006 Summary Report, (2004).

³¹⁴ Florida Small Business Development Center Network (SBDC), A Voyage to the Future Strategic Plan – Florida Small Business Development Center Network 2004-2009, (March 2003).

³¹⁵ Florida Small Business Development Center Network (SBDC), "Our Services," (website - www.Floridasbdc.com) (March 2005).

³¹⁶ Florida Small Business Development Center Network (SBDC), Statewide Impact 2004, (2005).

³¹⁷ Florida Small Business Development Center Network (SBDC), A Voyage to the Future Strategic Plan – Florida Small Business Development Center Network 2004-2009, (March 2003).

agribusiness ventures.³¹⁸ Fortunately, SBDC has graciously offered to provide technical assistance to Haiti's business sector, if it desires to establish a similar network for small business development within the country.³¹⁹ SBDC counts as successes work that it has done to establish SBDC-like networks in Netherlands Antilles and Mexico, as well as general business development activities in Panama and Costa Rica.³²⁰

Investment Laws and The Legal System

The Advisory Group is concerned with certain aspects of the legal system, within the Republic of Haiti, which are not conducive to foreign direct investment. At the same time, the Advisory Group does realize that Haiti has made substantial progress in reforming some of its investment laws with regard to passage of the new "Investment Code of the Republic of Haiti" in 2002 (see Appendix A).³²¹ However, specific administrative rules for the implementation of the code still need to be promulgated.³²²

Certain other challenges exist for Haiti to attract adequate levels of foreign direct investment. For example, individual foreign nationals are restricted from certain types of property ownership. According to the U.S. Commercial Service in August of 2002:

Foreigners working in Haiti are subject to certain property restrictions. Under current law, foreigners (except foreign corporations) may not own more than one residence in the same district nor own real estate without authorization from the Ministry of Justice. Land holdings of foreigners are limited to 1.29 hectares in urban areas and 6.45 hectares in rural areas, and foreigners may not own property or buildings near the border.³²³

³¹⁸ Michelle Lapointe - Inter-American Dialogue and The World Bank, Diasporas in Caribbean Development, (Aug. 2004).

³¹⁹ E-Mail from Mr. Jerry Cartwright – State Director – Florida Small Business Development Center Network (SBDC) to Mr. Eli Nortelus – Liaison to the Governor's Haiti Advisory Group (Feb. 9, 2005).

³²⁰ Id.

³²¹ Republic of Haiti, Investment Code of the Republic of Haiti 2002, (2002).

³²² Republic of Haiti, Interim Cooperation Framework 2004-2006 Summary Report, (2004).

³²³ U.S. Commercial Service – U.S. Department of Commerce, Haiti Country Commercial Guide FY 2003 – Investment Climate Statement, (Aug. 2002).

Some exceptions apply, including special privileges for foreigners of Haitian descent and those investors who form Haitian corporations (with corporate offices in Haiti).³²⁴ But these laws remain restrictive and could discourage greater foreign investment.

Further concerns relating to the Rule of Law and the enforcement of existing property/commercial laws have been raised by the Advisory Group. The State of Florida could explore opportunities for providing technical assistance to the Government of Haiti in order to create a truly investor-friendly legal infrastructure.

Promoting Haitian Tourism

In the 1940's and 50's, Haiti was viewed as a prime tourist destination for Americans, Europeans, and other travelers looking for tropical paradise. Even prominent Floridians, looking to get away, would take frequent trips to Haiti for short vacations [See photo below of Gov. Fuller Warren and wife vacationing in Haiti in the early 1950's]. Haiti had a fairly developed tourist industry, while many of its Caribbean neighbors, including the Dominican Republic, were seeing little to no visitor traffic. However, things would gradually change. Political chaos and over-exaggerated health concerns related to a misunderstood AIDS epidemic began to frighten tourists away from Haiti starting in the 1980's.³²⁵ With the tourists, left the investment in the tourism industry and the Haitian jobs associated with it.

Today, while Haiti remains in possession of some of the Caribbean's most beautiful beaches (according to the November 1996 issue of *Condé Nast Traveler* magazine)³²⁶, along with vibrant, unique cultural and historical attractions, it finds its tourist numbers to be in sharp contrast with its neighbors. For example, even in 2000, before the latest round of civil unrest, Haiti's stay-over tourist arrivals totaled only 140,500, compared to 2.97 million in the Dominican Republic.³²⁷

³²⁴ Id.

³²⁵ David Gonzalez, "Haiti Battles Idle an Army of Tourist Guides," The New York Times, (Dec. 12, 2000).

³²⁶ Condé Nast Traveler, "Great Beaches of the World Part V – Caribbean's 10 Best", (Nov. 1996)

³²⁷ Caribbean Tourism Organization, Caribbean Tourism Statistical Report, (June 2002).



Florida Governor Fuller Warren and wife on vacation in Port-au-Prince in the early 1950's – Photo Courtesy of the State Archives of Florida

According to analysts, though, Haiti's tourism sector holds perhaps the greatest potential for foreign investors.³²⁸ While the country has certain weaknesses of infrastructure (lack of developed hotel capacity, electricity problems, poor roads, etc.) that present challenges for supporting large numbers of visitors in the interior portions of the country, certain areas hold significant promise for the tourism industry. The U.S. Commercial Service recently noted:

In the long-term, Haiti offers many beaches and islands that could be developed. The country's culture and history are unique: its paintings, monuments, artisan crafts, Creole cuisine and Voodoo religion attract the adventurous tourist. With careful planning and investment, Haiti could eventually become a more significant Caribbean tourist destination.³²⁹

Haiti's private and public sectors understand this tourism potential and the economic benefits that would come with it. They are currently working both in the short-term and the long-term to develop the industry further. But in this endeavor, Haiti will need the help of its friends.

³²⁸ Caribbean Central American Action and Caribbean Publishing Company, Caribbean Region Profile 2005, (2004).

³²⁹ U.S. Commercial Service – U.S. Department of Commerce, Haiti Country Commercial Guide FY 2003, (July 2002).

Short-Term Strategy

Recommendation 12: The State of Florida should assist Haiti's Ministry of Commerce, Industry, & Tourism in its plan to create a targeted tourism marketing campaign to attract Haitian-American residents of Florida to return to their country as tourists in order to rediscover its natural beauty and historical attractions. Entities such as VISIT FLORIDA might be able to provide guidance/assistance in this endeavor.

On December 10, 2004, the Advisory Group met with representatives of Haiti's tourism sector, who described a short-term tourism development strategy that seeks to overcome many of the country's current infrastructural weaknesses. First proposed in 1996 with the Ministry of Commerce and Industry's *Tourism Guideline Plan*, the strategy aims to tap-in to a ready-made market for visitors to the country – the Haitian-American Diaspora. As explained by Maryse Penette-Kedar, former Haitian Secretary of State for Tourism and current President of Société Labadee Nord S.A., Haitians in the Diaspora have a cultural and social need to periodically return Haiti. This not only allows visits to family and friends who still live in the country, but it also provides an opportunity to recapture the spirit of Haiti that is culturally engrained in the Haitian expatriate. Ms. Penette-Kedar noted that if this “need” could be harnessed for Haiti's tourism industry, it could make a substantial economic impact.³³⁰

As an example, Ms. Penette-Kedar suggested that Haitian-Americans could be encouraged to return to Haiti for two-week periods. In the first week, they could visit family and friends (as many Haitian-Americans already travel to Haiti to do). In the second week, though, members of the Diaspora could travel the country as a tourist would, visiting historic and cultural sites, and staying in local hotels. Participation in cultural festivals (e.g. Carnival) and/or religious pilgrimages could also be objectives. In this way, Haitian-Americans would be “re-discovering” the land of their birth or, for those second generation members of the Diaspora, the land of their ancestors.³³¹

³³⁰ Presentation by Maryse Penette-Kedar – President of Société Labadee Nord, S.A. - Meeting of the Governor's Haiti Advisory Group, (Dec. 10, 2004).

³³¹ Id.

Not only does the Haitian-American community provide a natural pool of potential visitors to Haiti, it also represents the only population that would likely be willing to forgive Haiti's current weaknesses (lack of infrastructure, political instability, etc.). However, if this plan is to meet with any success, it must effectively "reach-out" to the Haitian Diaspora. To do this, the Ministry of Commerce, Industry, & Tourism will need to develop a targeted marketing campaign, specifically geared to the Haitian-American community. As Ms. Penette-Kedar pointed out, it will also be necessary to have some type of infrastructure in place to implement the campaign and to help coordinate tourist visits from the Diaspora (e.g. working with the media, working with travel agents to arrange special travel packages, etc.).³³²

As far as tourism promotion is concerned, few localities have as much experience and success in attracting visitors as does Florida. In fact, tourism is the state's number one industry.³³³ In 2003 (the latest full-year data available), Florida hosted 74.5 million visitors. Taxable spending on tourism-related activities equaled \$51.5 billion that year. And travel-related businesses employed 871,000 Floridians.³³⁴

Despite these impressive numbers, Florida has recently had to face some major challenges in maintaining its strong performance in attracting visitors. For example, in 2001, the wake of the September 11th tragedy, Florida's tourism industry was dealt a major blow when visitor numbers dropped dramatically as people began to avoid air travel. However, due in large part to the tremendous tourism marketing initiatives of VISIT FLORIDA, the state's official tourism promotion organization, visitor numbers to Florida were rebounding by the first quarter of 2002.³³⁵ Similarly, when the state was ravaged by four major hurricanes in 2004, it was necessary for VISIT FLORIDA's marketing campaign to go into overdrive. As a press release discussing the storms' impact explained:

The international media coverage of the storms in 2004 continued for six weeks and aired globally leaving incorrect perceptions about Florida's well-being and overall status as an intact tourism destination, sparking the need for a focused

³³² Id.

³³³ VISIT FLORIDA, "Recreational Facts About Florida" website (www.visitflorida.org), (2005).

³³⁴ VISIT FLORIDA, *Year in Brief: Visitors to Florida in 2003*, (2004).

³³⁵ Executive Office of the Governor, "Governor Bush Touts Florida's Tourism Rebound to International Tourism Industry in New Orleans," (Press Release – May 29, 2002).

marketing campaign to improve perceptions and reassure travelers that Florida is a safe, sunny, and welcoming destination.³³⁶

Such experience successfully countering negative perceptions could readily be applied to Haiti. This is especially true considering that the Ministry of Commerce, Industry, & Tourism's intended audience (for this short-term approach) is a potentially more receptive, less-demanding, and more forgiving demographic (Haitian-Americans) than typical vacationers. Therefore, given the interest, VISIT FLORIDA and other Florida tourism organizations could lend technical assistance to the Ministry in its efforts to create a targeted marketing campaign geared toward the Haitian Diaspora.

There are also more general ways that VISIT FLORIDA, or other organizations, could assist the Ministry in the long-term promotion of tourism. For example, while close to 70% of the Haiti's visitors come from the United States,³³⁷ the country's official tourism promotional website (www.haititourisme.com) is almost entirely in French and has not been updated in several years. Such marketing problems could be easily rectified with the appropriate guidance. Additionally, there may be niche tourism markets for which Haiti could receive assistance in developing, such as "adventure travel" and "eco-tourism" (as discussed in the Ministry's *Tourism Guideline Plan*).³³⁸

Long-Term Strategy

Recommendation 13: The State of Florida should encourage cruise lines operating in Florida to provide technical assistance/guidance to the Haitian Ministry of Commerce, Industry, & Tourism in the development of various ports-of-call as one of the country's most viable areas of potential growth in the tourism sector. Investment in ports-of-call development should also be encouraged.

Discussion

At its December 10, 2004 meeting, the Advisory Group heard further testimony from Ms. Penette-Kedar and a Haitian tourism

³³⁶ Executive Office of the Governor, "Governor Bush Announces Increase in Florida Tourism – Florida Tourism Up in 2004," (Press Release – Feb. 21, 2005).

³³⁷ Caribbean Tourism Organization, Caribbean Tourism Statistical Report, (June 2002).

³³⁸ Ministry of Commerce, Industry, and Tourism – Republic of Haiti, Tourism Guideline Plan – Summary, (June 1996).

consultant, Lionel Pressoir, who described a long-term strategy that the Ministry is currently pursuing. This strategy hopes to replicate the success of one of Haiti's few recent tourism success stories – "Labadee".

Labadee is the site of a beautiful turquoise bay and well-preserved beach on Haiti's northern coast (near Cap Haitien). Since 1986, it has served as a "port-of-call" for Royal Caribbean International (cruise line). Today, it is the only such port-of-call in Haiti. Each year, approximately 450,000 Royal Caribbean cruise passengers visit Labadee to relax on the beach, snorkel, kayak, as well as visit local shops and restaurants.³³⁹ Some of these passengers do not even realize they are visiting Haiti. Labadee is considered highly successful, with two to three cruise ships visiting each week.³⁴⁰ Starting in June 2006, Royal Caribbean will begin bringing "Freedom of the Seas," the world's largest cruise ship, to Labadee on a weekly basis.³⁴¹

The effect that Labadee's use as a port-of-call has had on the local population can also be considered a tremendous success story. Societé Labadee Nord, S.A., the Haitian company that manages the property for Royal Caribbean, employs over 700 local Haitians (either directly or indirectly). Staffers, including Haitian musicians, bartenders, waiters, handicraft merchants, etc., enjoy some of the highest wages and benefits in all of Haiti. The company in partnership with Royal Caribbean, also conducts a number infrastructure development projects, social programs (health, educational, cultural), and environmental protection projects for the nearby Labadee Village and the surrounding area.³⁴²

Labadee also provides great benefit to the entire country. In 2004, the company generated approximately US \$2.4 million in visitor/immigration taxes (with each tourist required to pay \$6 before departure) and \$1.8 million on income/other taxes for the Government of Haiti. This port-of-call is considered, by far, the most successful and profitable of Haitian tourism destinations.³⁴³

³³⁹ E-Mail from Mr. Adam Goldstein – President of Royal Caribbean International and Member of the Governor's Haiti Advisory Group – to Michael Pilver – Staff Director – Governor's Haiti Advisory Group (March 27, 2005).

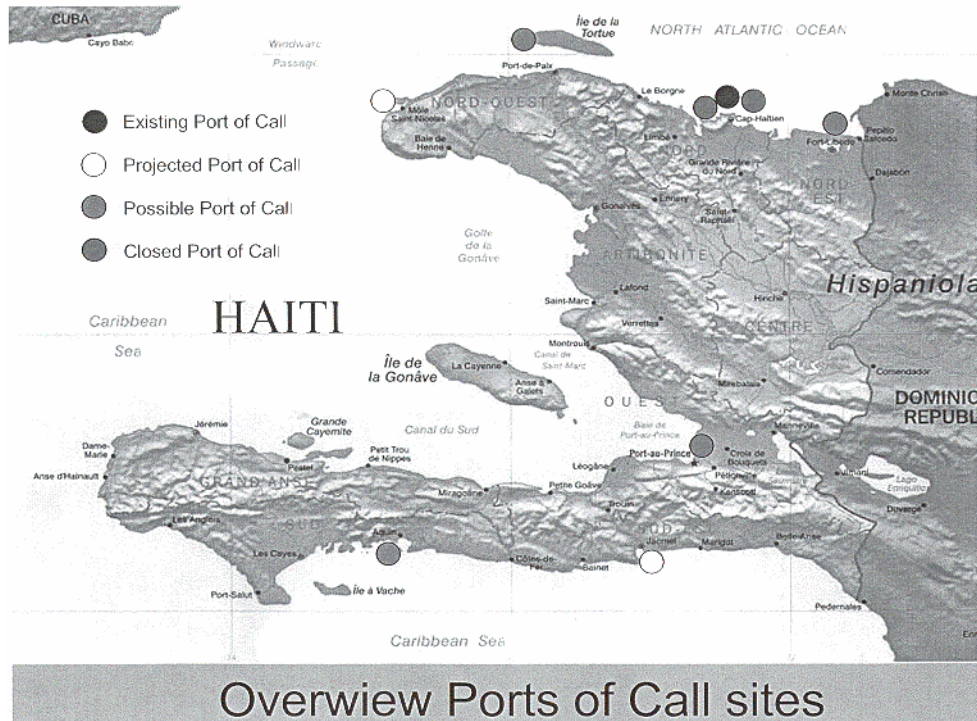
³⁴⁰ Meeting of the Governor's Haiti Advisory Group (Dec. 10, 2004).

³⁴¹ E-Mail from Mr. Adam Goldstein – President of Royal Caribbean International and Member of the Governor's Haiti Advisory Group – to Michael Pilver – Staff Director – Governor's Haiti Advisory Group (March 27, 2005).

³⁴² Presentation by Maryse Penette-Kedar – President of Societé Labadee Nord, S.A. - Meeting of the Governor's Haiti Advisory Group, (Dec. 10, 2004).

³⁴³ Id.; and Paisley Dodds, "Cruises Boost Haiti's Economy", The Associated Press, (April 23, 2003).

Now, the Ministry is engaging a plan to replicate Labadee's success by developing other ports-of-call on different points of Haiti's coastline. These include four possible beach ports-of-call (Fort Liberté, Tortuga Island, Aquin, and Baie de l'Acul) and three projected/possible urban ports-of-call (Jacmel, Mole St. Nicolas, and Cap Haitien).³⁴⁴



Prospective Port-of-Call Sites in Haiti – Photo Courtesy of SHAC

The Government of Haiti realizes the advantage of ports-of-call in that they can attract a substantial amount of tourists without local areas having to pay the considerable expense of hotel and infrastructure development. For example, an interior part of the country hoping to attract modern, demanding tourists would need to ensure there were well-equipped hotel facilities, reliable power (electricity), operational communications (telephone, internet, cell phone-ready), appropriate water/sewage systems, etc. However, a coastal port-of-call which caters to visitors who stay no longer than

³⁴⁴ Presentation by Mr. Jean Lionel Pressoir – Commercial Director – Société Haitienne d'Amenagements Concertés S.A. (SHAC), to the Governor's Haiti Advisory Group, (Dec. 10, 2004).

a 7-8 hour period of time (before they must re-embark onto the cruise ship), is responsible for providing very few of these amenities.³⁴⁵

Still certain ports-of-call will require greater development than others, especially the urban ports. The most likely site for the next operational port-of-call in Haiti is the southern city of Jacmel, which is expecting its first cruise ship in the fall 2006. According to Mr. Pressoir, the city is hoping to accomplish the following improvements before welcoming its first ship-bound tourists:

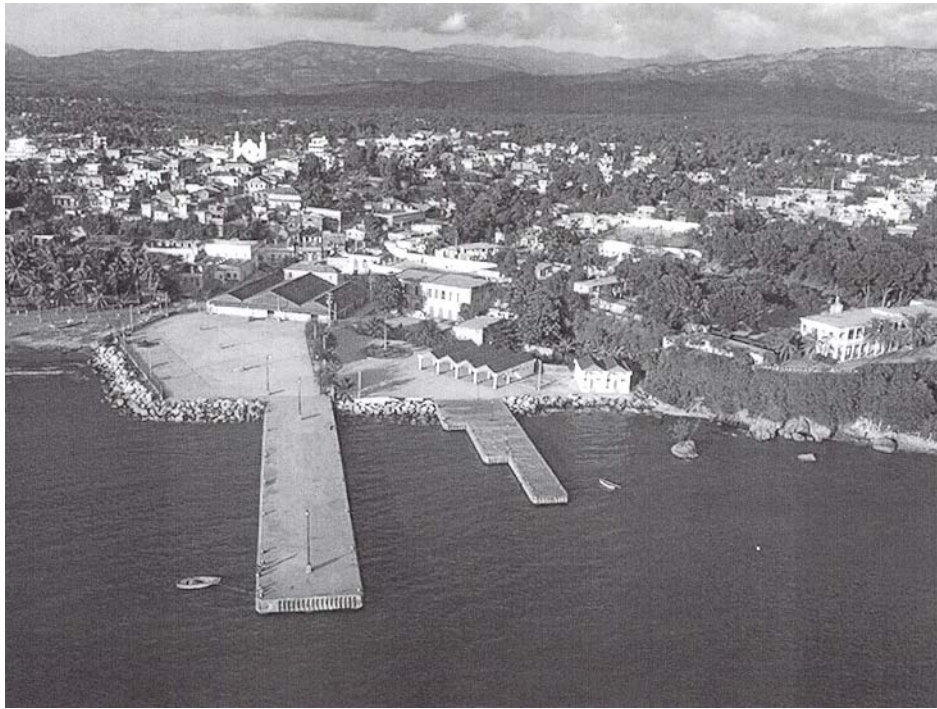
...finalization of facilities at sea for the mooring of ships; rehabilitation of streets, city parks, and other urban facilities; identification of a selected pedestrian tourist circuit; construction of a new marketplace away from the historic center; rehabilitation of the actual 18th century marketplace into a tourist attraction; the creation and training of a tourism security force; public education programs on the advantages of the tourism industry; organization of excursion packages within the region; recruitment and training of destination management and staff personnel.³⁴⁶

Tourism and infrastructure specialists in Florida could undoubtedly assist prospective Haitian ports-of-call with all preparations such as these. Perhaps one of the most important roles that Florida can play, though, in the development of ports-of-call is as an intermediary with cruise lines operating within the state. Thirteen major cruise lines either have offices in Florida or set sail from Florida ports. These include 1.) Carnival, 2.) Celebrity Cruises, 3.) Costa, 4.) Cunard, 5.) Disney Cruise Line, 6.) Holland America, 7.) MSC Cruises, 8.) Norwegian Cruise Line, 9.) Radisson Seven Seas Cruises, 10.) Princess, 11.) Royal Caribbean International, 12.) Topaz International Cruises, and 13.) Windstar Cruises. Florida is also the single-largest cruise embarkation point in the United States, capturing over 80% of the market and an expected 5.8 million passenger embarkations in 2005.³⁴⁷

³⁴⁵ Presentation by Maryse Penette-Kedar – President of Société Labadee Nord, S.A. - Meeting of the Governor's Haiti Advisory Group, (Dec. 10, 2004).

³⁴⁶ Presentation by Mr. Jean Lionel Pressoir – Commercial Director – Société Haitienne d'Amenagements Concertés S.A. (SHAC), to the Governor's Haiti Advisory Group, (Dec. 10, 2004).

³⁴⁷ Business Research & Economic Advisors (BREA) and Florida-Caribbean Cruise Association, Contribution of the North American Cruise Industry to the Florida Economy, (2001).



Prospective Port-of-Call at Jacmel – Photo Courtesy of SHAC

Entities within Florida (possibly the Governor’s Office of Tourism, Trade, and Economic Development and/or the Florida-Caribbean Cruise Association) could serve as intermediaries between the major cruise lines operating from the state and Haiti’s tourism sector. Cruise lines could be encouraged to provide technical assistance and guidance to individual local projects aiming to develop ports-of-call in Haiti. Additionally, cruise lines should be encouraged to explore the possible business benefits that Haitian ports-of-call could bring to their individual operations. Special emphasis might be placed on those cruise lines that have operated in Haiti in the past. For example, in the 1970’s through the mid-1980’s, five separate cruise lines (Commodore Cruise Line, Norwegian Cruise Line, Sitmar Cruise Line, Princess Cruise Line, and Crown Cruise Line) regularly visited the city of Cap Haitien, bringing as many as 170,000 tourists a year.³⁴⁸

Florida entities could also work with the major cruise lines to determine itineraries that could be complemented by a stop-over at a Haitian port-of-call. Considered in the light of complicated itinerary planning, Haiti may offer cost-effective alternatives for these

³⁴⁸ Presentation by Mr. Jean Lionel Pressoir – Commercial Director – Société Haitienne d’Amenagements Concertés, S.A. (SHAC), to the Governor’s Haiti Advisory Group, (Dec. 10, 2004).

companies. Florida organizations serving to link individual Haitian port-of-call development projects with willing investors could also be of great value. With these many possibilities in mind, it seems clear that the collaboration of Florida entities, cruise lines, the Haitian Government, and Haitian port-of-call projects holds some of the best promise for the realization of Haiti's tourism potential.

Advocating for Preferential Trade Agreements

Recommendation 14: The State of Florida should work with the Florida Congressional Delegation to express the importance of preferential trade agreements like the HERO Act and the HOPE Act (between the United States and Haiti) for job creation and economic development in Haiti's manufacturing sector.

Discussion

As noted in the last chapter, Haiti's textile manufacturing industry maintained a workforce of 80,000 people at its height in the mid-1980's. However, with the overthrow of Jean-Bertrand Aristide in 1991 and the ensuing economic embargo imposed by the international community, the Haitian assembly sector saw a dramatic reduction in activity. Some investment began to return to the country when the embargo was lifted in 1994, but the manufacturing/apparel industry never reclaimed its former numbers. Today, the industry can support employment for only about 25,000 Haitians.³⁴⁹

With more than 66% of the population without formal employment, and approximately 80% of Haitians living below the national poverty line, perennial instability can be seen as a natural consequence.³⁵⁰ Prime Minister Latortue perhaps explained it best to the Advisory Group on November 5, 2004 when he stated "I believe the root of insecurity in Haiti is poverty."³⁵¹

On this same date, the Advisory Group met with an array of representatives from the Haitian private sector. The business

³⁴⁹ U.S. Department of State, Haiti – Country Background Note, (Feb. 2005); and Inter-American Dialogue, "Congressional Staff Meeting on Trade and Job Creation in Haiti," (Nov. 2004).

³⁵⁰ U.S. Central Intelligence Agency, The World Factbook 2004 (2004).

³⁵¹ Address of the Honorable Gérard Latortue – Prime Minister of Haiti - to the Governor's Haiti Advisory Group, (Nov. 5, 2004).

representatives explained to the Group in great detail the potential of Haiti's assembly sector and the advantages that this sector holds for foreign investors. These representatives then went on to describe legislation pending before the U.S. Congress that carries the possibility of creating as many as 170,000 new jobs in the Haitian apparel sector.³⁵²

Federal legislation entitled "The Haiti Economic Recovery Opportunity Act of 2004" (HERO Act), introduced by Representative Clay Shaw of Florida (H.R. 4889), with companion legislation sponsored in the U.S. Senate by Senator Mike DeWine of Ohio (S. 2261), seeks to provide Haiti with a comprehensive economic assistance package. The proposed legislation would recognize Haiti's unique financial position within the Western Hemisphere, while also addressing important socio-economic and political concerns. According to a report commissioned by USAID, the HERO Act would help reinvigorate Haiti's manufacturing sector by expanding its access to U.S. markets.³⁵³ Expanding the manufacturing capacity of the Haitian apparel sector would lead to greater job creation and a more economically viable country.³⁵⁴ Moreover, the Act would encourage Haiti's progression towards implementing social reforms (e.g. free and open markets, greater governmental transparency and improved human/workers rights) by providing tangible economic incentives, based on verification that such goals are being achieved.³⁵⁵

Summary of HERO Act of 2004

A summary of the HERO Act of 2004, provided by the Library of Congress notes:

Haiti Economic Recovery Opportunity Act of 2004
- Amends the Caribbean Basin Economic Recovery Act to provide, beginning on October 1, 2003, and for each of the seven succeeding one-year periods, duty-free treatment for apparel items wholly assembled or knit-to-shape in Haiti (without regard to the country of origin of the fabrics, components,

³⁵² Meeting of the Governor's Haiti Advisory Group with Representatives of Haiti's Private Sector, (Nov. 5, 2004); and U.S. Agency for International Development, An Assessment of the Potential Impact of Haitian Economic Recovery and Opportunity Act (HERO) (2003).

³⁵³ U.S. Agency for International Development, An Assessment of the Potential Impact of Haitian Economic Recovery and Opportunity Act (HERO), (2003).

³⁵⁴ Id.

³⁵⁵ African Growth and Opportunity Act, Summary of AGOA I (2005).

or yarns) if the President certifies to Congress that Haiti: (1) has established or is progressing toward specified political, economic, and social reforms; (2) does not engage in activities that undermine U.S. security or foreign policy; (3) does not engage in gross violations of human rights or activities in support of international terrorism; and (4) is meeting specified enforcement conditions aimed at preventing tariff or quota avoidance, customs evasion, unlawful transshipment, or false information or false document use in order to obtain such preferential treatment.

States that such preferential treatment shall be: (1) for the first year, 1.5 percent of the aggregate square meter equivalents of all apparel articles imported into the United States during the 12-month period beginning October 1, 2002; and (2) for each of the succeeding years, a quantity of apparel articles equal to the product of the percentage applicable during the previous 12-month period plus 0.5 percent (but not over 3.5 percent) and the aggregate square meter equivalents of all apparel articles imported into the United States during the 12-month period on September of such year.

Applies such provisions to goods entered or withdrawn from a warehouse for consumption on or after October 1, 2003, including a retroactive application to certain warehouse entries or withdrawals made between such date and the date of enactment of this Act.³⁵⁶

Expansion of the Caribbean Basin Initiative (CBI)/Caribbean Basin Trade Partnership Act (CBTPA)

The HERO Act of 2004 encourages economic growth and political reform by providing Haiti greater access to U.S. markets and increased opportunity for trade. Implementation of the HERO Act would require amending the Caribbean Basin Initiative (CBI) to include special provisions commensurate to those accorded to the lesser-developed beneficiary countries (LDC's) under the African

³⁵⁶ Thomas Legislative Information Online, Bill Summary and Status for 108th Congress S. 2261(2004).

Growth and Opportunity Act (AGOA).³⁵⁷ Specifically, by allowing duty-free treatment of all apparel manufactured (i.e. wholly assembled or ‘knit-to-shape’) in Haiti. In addition, the bill grants Haitian manufacturers use of yarns originating anywhere in the world. Examples of sources include, but are not limited to, countries with whom the United States has a Free Trade Agreement (FTA), prospective members of FTA’s (e.g. parties to the prospective Free Trade Area of the Americas - FTAA), and beneficiary countries covered by CBI, AGOA, and the Andean Trade Preference Act.³⁵⁸

The language of the HERO Act is modeled after and is contextually consistent with the existing AGOA trade legislation, enacted during the Clinton Administration. Signed into law in 2000, the act has since been amended by President Bush (AGOA II), with several time-sensitive provisions being extended until 2015 (AGOA III). The fundamental thread that connects the HERO Act with AGOA is the Special Rule extended to LDC’s, among eligible Sub-Saharan African states. Essentially, AGOA provides LDC’s in Africa substantial leverage in their efforts to achieve greater economic integration into global markets.³⁵⁹ These LDC’s served as case studies during the embryonic stages of drafting the HERO Act, as many are challenged by similar economic and social conditions as Haiti.

The Special Rule provision of AGOA has provided LDC’s economic incentives that will encourage job creation and reduce civil strife. Moreover, it addresses the critical health concerns (e.g. HIV/AIDS pandemic) and environmental crises (e.g. drought) by providing greater resources to mitigate these social maladies. Status as a beneficiary LDC is based upon a country's per capita GNP. Under the original language of AGOA I, any African country with a per capita GNP under \$1,500 in 1998 was eligible for the special provision.³⁶⁰ Currently, of the 37 AGOA beneficiary countries, 23 are eligible under the Special Rule provision.

Provisions of the HERO Act and the AGOA Act, relating to the amount of apparel eligible for duty-free and quota-free access to U.S. markets, are nearly identical. Both allow an initial ceiling equal to 1.5% of apparel articles imported into the U.S., within the

³⁵⁷ U.S. Agency for International Development, An Assessment of the Potential Impact of Haitian Economic Recovery and Opportunity Act (HERO) (2003).

³⁵⁸ Id.

³⁵⁹ African Growth and Opportunity Act, Summary of AGOA I (2005).

³⁶⁰ Id.

previous 12-month period.³⁶¹ Thereafter, the ceiling incrementally increases by 0.5 % each year, but does not exceed 3.5% of overall U.S. apparel imports.³⁶²

Potential Benefits of the HERO Act

Considering the similar economic and social conditions shared by Haiti and many AGOA countries, experts contend that the success of the trade program in Africa serves as an indicator of the potential economic impact of the HERO Act legislation. Indeed, the economic and social reforms experienced by some AGOA countries have led to substantive strides towards the development of sustainable economic growth. Such growth is reflected in a 55% increase in products imported from AGOA countries by the U.S. in 2003 and demonstrates the economic significance of expanded trade access.³⁶³ Since the law took effect in 2000, nearly one-third of AGOA-eligible countries have experienced growth of 4% or better.³⁶⁴ Through bolstering trade relations with the United States, the average per capita income for all AGOA countries has increased for the fourth consecutive year.³⁶⁵ This represents a trend of economic development that is the longest sustained growth the Sub-Saharan region has experienced in twenty years.

The HERO Act seeks to achieve similar economic advancement for a Haiti that suffers from a deteriorating economic infrastructure and a stagnant employment market. By placing the country on an accelerated path towards economic integration, the HERO Act has the potential to move Haiti closer toward experiencing long-term sustainable growth. As mentioned previously, Haiti's apparel sector provided jobs for nearly 80,000 people at its economic peak.³⁶⁶ Haitian manufacturers were successful in attracting major foreign-based companies, mainly due to the availability of labor forces at a more attractive price differential.³⁶⁷ Observers of the Haitian manufacturing sector noted that Haiti's lower wage rate provided

³⁶¹ Id.

³⁶² U.S. Agency for International Development, An Assessment of the Potential Impact of Haitian Economic Recovery and Opportunity Act (HERO) (2003).

³⁶³ African Growth and Opportunity Act, 2004 Comprehensive Report on U.S. Trade and Investment Policy Toward Sub-Saharan Africa and Implementation of the African Growth and Opportunity Act (2004).

³⁶⁴ African Growth and Opportunity Act, Summary of AGOA I (2005).

³⁶⁵ African Growth and Opportunity Act, 2004 Comprehensive Report on U.S. Trade and Investment Policy Toward Sub-Saharan Africa and Implementation of the African Growth and Opportunity Act (2004).

³⁶⁶ Haitian Manufacturing Association, HERO Proposal for Creating Jobs in Haiti, (2004).

³⁶⁷ U.S. Agency for International Development, An Assessment of the Potential Impact of Haitian Economic Recovery and Opportunity Act (HERO) (2003).

significant incentives to corporations that would stand to benefit from the reduction in their overall production cost.³⁶⁸ However, even during the height of its production capacity, Haiti remained the most economically disadvantaged under CBI.

An examination of Haiti's economic condition under CBI reveals a country that ranked among the lowest in the Western Hemisphere for total exports to U.S. markets. In 1994, the Haitian exports to the U.S. equaled \$59 million and gradually increased to \$271 million in 1998.³⁶⁹ This is in stark contrast to the Dominican Republic, which experienced export levels at \$3.09 billion in 1994, reaching \$4.44 billion in 1998.³⁷⁰ Some of these differences are illustrated below in Table 1.³⁷¹

³⁶⁸ Id.

³⁶⁹ U.S. Census Bureau, Foreign Trade Division, Data Dissemination Branch, (2005).

³⁷⁰ Id.

³⁷¹ Economic Policy Institute, Rebuilding The Caribbean: A Better Foundation for Sustainable Growth, (2002) (http://www.gpn.org/research/epi_cbi_bp_1999.pdf).

TABLE 1

**U.S. imports from Central America and Mexico, 1994 -
September 1998**

(Total imports, \$billions)

January – September

	1998	1997	1997	1994
Costa Rica	\$1.87	\$1.72	\$2.32	\$1.65
El Salvador	1.10	1.00	1.35	0.61
Guatemala	1.59	1.48	1.99	1.28
Honduras	1.96	1.69	2.32	1.10
Nicaragua	0.35	0.34	0.44	0.17
Total Central America	7.11	6.51	8.79	5.12
Dominican Republic	\$3.32	\$3.20	\$4.33	\$3.09
Jamaica	0.58	0.56	0.74	0.75
Haiti	0.20	0.14	0.19	0.06
Caribbean, other	1.74	2.30	2.93	2.55
Total Caribbean	5.84	6.19	8.18	6.45
Mexico	\$69.72	\$62.83	\$85.83	\$49.49

	Percent growth, Sept. 1997 - Sept. 1998	Average annual growth rate, 1994-97
Costa Rica	8.8%	12.2%
El Salvador	10.2	30.3
Guatemala	7.4	15.8
Honduras	15.7	28.4
Nicaragua	3.3	38.1
Total Central America	9.2	19.7%
Dominican Republic	3.8%	11.8%
Jamaica	3.8	-0.4
Haiti	46.6	47.5
Caribbean, other	-24.3	4.7
Total Caribbean	-5.7	8.3
Mexico	11.0%	20.1%

Source: Economic Policy Institute analysis of U.S. Department of Commerce (1999).

Table 2 further demonstrates Haiti's disadvantaged position, relative to other CBI nations. Haiti exported \$30 million worth of apparel products to the United States in 1994 (January to September) and \$160 million worth in 1998 (January to September).³⁷² The disparity is clear when compared to the apparel exports of the Dominican Republic for the same period. Moreover, the observed growth in Haiti's overall trade with the United States and the slightly increased level of apparel exports to U.S. markets only reflects the ingenuity of Haitian manufacturers. Unfortunately, no one was able to forecast the impending political turmoil and social unrest that would devastate the Haitian economy. Furthermore, no strategic plan was formulated to defend Haiti's economy from the engulfing wave of globalization. Resulting in a sharp decline in U.S. apparel imports, a decline in foreign investments, and the demise of cross-border cooperation plans with the Dominican Republic.³⁷³

³⁷² Id.

³⁷³ U.S. Agency for International Development, An Assessment of the Potential Impact of Haitian Economic Recovery and Opportunity Act (HERO) (2003).

TABLE 2

**U.S. apparel imports from Central America and Mexico, 1994 –
September 1998**

(apparel imports, SITC 60-61, \$billions)

January - September

	1998	1997	1997	1994
Costa Rica	\$0.60	\$0.61	\$0.85	\$0.68
El Salvador	0.88	0.77	1.05	0.40
Guatemala	0.85	0.72	0.96	0.59
Honduras	1.44	1.22	1.69	0.65
Nicaragua	0.17	0.14	0.18	0.03
Total Central America	3.95	3.46	4.75	2.38
Dominican Republic	\$1.70	\$1.60	\$2.19	\$1.54
Jamaica	0.32	0.35	0.47	0.45
Haiti	0.16	0.10	0.14	0.03
Caribbean, other	0.04	0.03	0.05	0.06
Total Caribbean	2.21	2.09	2.85	2.08
Mexico	\$4.96	\$3.82	\$5.25	\$1.79

	Percent growth, Sept. 1997 - Sept. 1998	Average annual growth rate, 1994-97
Costa Rica	-1.1%	7.5%
El Salvador	15.1	38.3
Guatemala	18.9	17.6
Honduras	17.9	37.5
Nicaragua	24.5	85.4
Total Central America	14.1	25.9
Dominican Republic	5.8%	12.5%
Jamaica	-9.0	1.3
Haiti	61.8	66.3
Caribbean, other	1.8	-5.7
Total Caribbean	6.0	11.1
Mexico	29.9%	43.2%

Apparel share of total imports from each country				
	1998	1997	1997	1994
Costa Rica	32.1%	35.3%	36.4%	41.32%
El Salvador	80.1	76.7	78.2	65.34
Guatemala	53.4	48.2	48.4	46.24
Honduras	73.3	72.0	72.6	59.08
Nicaragua	49.2	40.8	41.4	17.13
Total Central America	55.5	53.1	54.0	46.42
Dominican Republic	51.0%	50.1%	50.6%	49.71%

Jamaica	54.9	62.6	63.8	60.68
Haiti	81.3	73.6	76.1	53.09
Caribbean, other	2.0	1.5	1.6	2.17
Total Caribbean	37.8	33.7	34.8	32.22
Mexico	7.1%	6.1%	6.1%	3.61%

Source: Economic Policy Institute analysis of U.S. Department of Commerce (1999).

The HERO Act, in all likelihood, would greatly accelerate Haiti's economic development. The report commissioned by USAID estimates the potential economic impact to be of staggering proportions. As the report notes:

The cap for exports to the United States set by the legislation is, at present, somewhat academic and most generous as Haitian apparel currently represents only 0.38% of all apparel imports. Since the cap begins at 1.5 percent of all apparel imports, Haitian imports would therefore have to increase approximately four-fold to take up the full initial quota. Since the cap increases to 3.5 percent, for this number to be reached in the future, Haitian exports would have to increase ten-fold to reach the final limits. Such increases would represent increases in exports from the 2002 value of \$216 million, through \$864 million, to \$2160 million, which was precisely the extent of Dominican Republic exports to the US in 2002. Expressed differently, employment could increase through 80,000 to over 200,000 or approximately 5% of persons of the working age in Haiti. On the basis expressed by Haitian observers that one formal job in Haiti feeds 6 mouths, such employment could conceivably support over 15% of the entire population.³⁷⁴

Adoption of the HERO Act would establish a degree of economic parity for Haiti, in a region where it has perennially failed to achieve sustainable growth. The HERO Act legislation would also provide the necessary economic incentives that would lead to greater foreign investment, job creation, and stronger trade relationships. Moreover, Haiti's eligibility to receive the benefits associated with the HERO Act would be predicated upon its progress towards promoting free markets and implementing substantive political,

³⁷⁴ Id.

economic, and social reforms.³⁷⁵ Such a transformation of its public and private institutions would prepare the Caribbean country to manage the emergence of a sustainable and socially-balanced economy.

The Haitian Manufacturers' Association (ADIH) and other major interest groups believe that Haiti has the institutional capacity to meet the export caps established in the legislation. Although ambitious at present, this belief may have some merit. According to USAID, there is a strong core of educated management in Haiti, possessing the required infrastructure to support the potential production and trade expansion. Moreover, the country's labor market is brimming with an employable and easily-trainable work force.³⁷⁶

Eligibility Requirements

If the HERO Act successfully garners the support of Congress, provisions of the legislation would then require the Executive Branch to determine Haiti's eligibility. The language of the bill notes:

Haiti shall be eligible for preferential treatment under this section if the President determines and certifies to Congress that Haiti --

(1) has established, or is making continual progress toward establishing --

(A) a market-based economy that protects private property rights, incorporates an open rules-based trading system, and minimizes government interference in the economy through measures such as price controls, subsidies, and government ownership of economic assets;

³⁷⁵ African Growth and Opportunity Act, 2004 Comprehensive Report on U.S. Trade and Investment Policy Toward Sub-Saharan Africa and Implementation of the African Growth and Opportunity Act (2004).

³⁷⁶ U.S. Agency for International Development, An Assessment of the Potential Impact of Haitian Economic Recovery and Opportunity Act (HERO) (2003).

(B) the rule of law, political pluralism, and the right to due process, a fair trial, and equal protection under the law;

(C) the elimination of barriers to United States trade and investment, including by --

(i) the provision of national treatment and measures to create an environment conducive to domestic and foreign investment;

(ii) the protection of intellectual property; and

(iii) the resolution of bilateral trade and investment disputes;

(D) economic policies to reduce poverty, increase the availability of health care and educational opportunities, expand physical infrastructure, promote the development of private enterprise, and encourage the formation of capital markets through microcredit or other programs;

(E) a system to combat corruption and bribery, such as signing and implementing the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions; and

(F) protection of internationally recognized worker rights, including the right of association, the right to organize and bargain collectively, a prohibition on the use of any form of forced or compulsory labor, a minimum age for the employment of children, and acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health;

(2) does not engage in activities that undermine United States national security or foreign policy interests; and

(3) does not engage in gross violations of internationally recognized human rights or provide support for acts of international terrorism and cooperates in international efforts to eliminate human rights violations and terrorist activities.³⁷⁷

Requirements for eligibility under the HERO Act are identical to standards placed upon AGOA countries. The drafters of the legislation sought to ensure that the guidelines for approval were equitable and fair. Accordingly, Haiti, as all AGOA countries, must be making progress towards achieving the aforementioned criteria in order to receive the benefits of the Act.³⁷⁸

The implementation process is complex and because of the subjective nature of the criteria (“making continual progress”), the process of establishing eligibility is critical.³⁷⁹ Such eligibility is determined according to procedures created under the Trade expansion Act of 1962. Essentially, the President would empower the Trade Policy Staff Committee (TPSC), which is composed of civil servants that have extensive experience with trade policy, from all major federal departments, to decide whether Haiti has met the standards for approval. In the event that a decision is not reached by the TPSC, the Trade Policy Review Group (TPRG) would intervene. Members of this group serve as assistant, deputy, and under secretaries of federal departments.³⁸⁰ In addition, the comments and recommendations of private citizens, advocacy groups, and interested organizations are considered during the evaluation process.

Obstacles to Implementation of the HERO Act

The far-reaching provisions of the 2004 version of the HERO Act face several obstacles for eventual passage. Much of the opposition to HERO Act of 2004 is grounded in a provision of the legislation that allows Haitian apparel manufacturers use of “third country” yarns, fabrics and textiles in the production of garments. Of significant concern to Congress is the potential for the infiltration of textiles from China and other countries that could adversely impact the U.S. agricultural and textile industries. Some contend that the

³⁷⁷ U.S. House of Representatives, “Haiti Economic Recovery Opportunity Act of 2004” (H.R. 4889) (July 2004).

³⁷⁸ U.S. Agency for International Development, An Assessment of the Potential Impact of Haitian Economic Recovery and Opportunity Act (HERO) (2003).

³⁷⁹ Id.

³⁸⁰ Id.

cheaper textiles purchased from “third country” nations would replace those provided by the United States and thereby place U.S. textile workers and entire communities at risk.

However, the analysis conducted by USAID indicates:

There should be no adverse impact on US apparel manufacturers since the type of apparel that could conceivably enter from Haiti under the new provisions of HERO have long-since left the United States for offshore operations. There is, as yet, no fabric or yarn manufacturing facility in Haiti. We do not expect HERO to generate such productions since Haiti lacks the factors of production required for such production- raw materials (cotton, cellulistics, or hydrocarbon derivatives), low-cost energy, and available water.³⁸¹

Even so, previous versions of the HERO Act, which have not included this “third country” provision, have enjoyed greater Congressional support. For example, twelve members of Florida’s Congressional Delegation co-sponsored earlier versions of the HERO Act. Support for this version, though, has been reduced to only six Florida members (Mr. Foley R-16, Ms. Harris R-13, Mr. Goss R-14, Ms. Ros-Lehtinen R-18, Mr. Meek D-17 Mr. Lincoln Diaz-Balart R-21). And it was in large part due to these “third country” provisions that the HERO Act of 2004 died while under consideration in the House Ways and Means Committee.

As an alternative to HERO, certain elements in the Ways and Means Committee have advanced a proposal called HOPE (Haitian Hemispheric Opportunity Through Partnership Encouragement Act) that would place restrictions on the origin of fabrics used in the manufacturing of apparel.³⁸² However, HOPE also lowers the initial cap placed on U.S. imports of Haitian apparel from 1.5% of total U.S. imports (as it appears in HERO Act) to only 1%.³⁸³ Furthermore, HOPE reduces annual growth from 0.5% to 0.25 % and cuts the HERO Act’s cap of 3.5% down to 2%.³⁸⁴ A less

³⁸¹ U.S. Agency for International Development, An Assessment of the Potential Impact of Haitian Economic Recovery and Opportunity Act (HERO) (2003).

³⁸² Congressional Research Service (CRS), Haiti: Developments and Policy Since 1991 and Current Congressional Concerns, (Dec. 2004); and Haitian Manufacturers’ Association (ADIH), Haitian Economic Recovery Opportunity Act, (2004).

³⁸³ Haitian Manufacturers’ Association (ADIH), Haitian Economic Recovery Opportunity Act, (2004).

³⁸⁴ Id.

ambitious bill, such as HOPE, may have a better chance of making it out of committee than the more far-reaching 2004 version of HERO.

The recently signed U.S.- Central America Free Trade Agreement (CAFTA) also poses problems for the future of the 2004 version of the HERO Act. CAFTA's five original member countries included Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua. During negotiations, though, the Dominican Republic was granted entrance into the agreement, making Haiti's "next-door neighbor" poised to see significant economic growth. And Congressional deliberations over CAFTA have been given priority over pending HERO Act legislation because many contend that CAFTA will lead to greater reciprocal trade. If the CAFTA legislation is fully approved by Congress and trade preferences for Haiti are not, Haiti will be placed at a greater disadvantage, relative to the potential economic growth of its CAFTA neighbors.

The Next Step

In order to promote the enormous benefit to Haiti associated with a preferential trade bill like HERO, the State of Florida and Florida's Haitian-American community will need to work closely with Florida's elected Congressional leaders. It will be important in this regard for Congress to understand that trade preferences accorded to Haiti in this critical time of transition are important to not only Haitians, but also U.S. citizens (constituents) concerned with the country's stability.

An important figure who may prove central to passage of trade preferences for Haiti is U.S. Representative Bill Thomas, Chairman of the House Ways and Means Committee. In 2002, Chairman Thomas sponsored legislation (H.R. 3009, the Trade Act of 2002) that extended and increased the benefits accorded to beneficiary countries covered under AGOA.³⁸⁵ His leadership was instrumental in enhancing President Bush's ability to establish strong trade agreements. Moreover, his assistance will be critical to establishing parity between Haiti and AGOA Lesser-Developed Countries, who presently benefit from the identical trade preference program found in the HERO Act.

The 2004 version of the HERO Act is indeed the most favorable of proposed preferential trade legislation for Haiti. However, many analysts and even some representatives of the apparel industry in

³⁸⁵ The Honorable Bill Thomas – U.S. House of Representatives, "In Focus: Trade," Official Website (<http://billthomas.house.gov/>), (2004).

Haiti realize that if the full provisions of HERO cannot be passed, then the measures offered by the proposed HOPE Act are better for Haiti than going without any trade preferences at all.³⁸⁶

In Florida's attempts to persuade Congress of the value of trade preferences for Haiti, it will be vital to re-stress the key goals. The Inter-American Dialogue perhaps stated it best with the following explanation:

This is a humanitarian initiative, designed to stimulate new formal employment in a country where...much...of the population is unemployed or underemployed. Because Haiti has a well-established apparel industry, and because Haiti's labor costs are the lowest in the hemisphere, apparel production presents itself as one of the few opportunities for growth and new employment in an otherwise anemic economy.³⁸⁷

Infrastructure Support

Recommendation 15: The State of Florida should encourage Florida power companies to assist the Government of Haiti in producing adequate levels of electricity in the cities and rural areas of Haiti.

Discussion

When the Advisory Group met with Prime Minister Latortue on November 5, 2004, the Prime Minister expressed great concern over Haiti's inability to produce and distribute adequate levels of electricity. He stated that this was a real impediment to the country's overall development efforts.³⁸⁸

While the Advisory Group realizes that there are a number of infrastructure problems in Haiti, the Prime Minister's words

³⁸⁶ Inter-American Dialogue, "Congressional Staff Meeting on Trade and Job Creation in Haiti," (Nov. 2004); and Meeting between the Delegation of the Governor's Haiti Advisory Group and Representatives of Haiti's Apparel Sector, (Jan. 14, 2005).

³⁸⁷ Inter-American Dialogue, "Congressional Staff Meeting on Trade and Job Creation in Haiti," (Nov. 2004).

³⁸⁸ Address of the Honorable Gérard Latortue – Prime Minister of Haiti - to the Governor's Haiti Advisory Group, (Nov. 5, 2004).

encouraged the Advisory Group to take special interest in this issue as an area in which Florida may be able to help. A more clear understanding of the problems with electricity production in Haiti will help indicate the possible direction for solutions.

According to the Government of Haiti's *Interim Cooperation Framework Summary Report* released in July 2004, some of the electricity problems and their importance can be classified as follows:

Improving the production and distribution of electricity in the country constitutes one of the main priorities of the Government. It is estimated that only about 10 percent of the Haitian population has access to electricity. Haiti is one of the rare countries in the world that does not yet have high-voltage interconnections between cities and key regions. An estimation of the possible demand is difficult to quantify due to the fact that peak demand has not been satisfied for more than ten years. It would be somewhere around 160 MW for Port-au-Prince.³⁸⁹

In 2003, it was estimated that the entire country had a demand for approximately 300 MW of electricity.³⁹⁰ However, problems with adequate production may stem from insufficient infrastructure. According to Caribbean Central American Action (CCAA):

Hydroelectricity generates about two-fifths of Haiti's current production; the rest comes from thermal power stations. Another thermal power station is planned, but will only be built when financing is available.

Florida undoubtedly has many resources that may be able to provide assistance to Haiti in this regard. Large power companies operating in Florida, Florida Power & Light and Progress Energy for example, have a great deal of experience in both generating power and distributing it. Their power generation processes include methods using fossil fuels, hydropower, and nuclear energy. Some of

³⁸⁹ Republic of Haiti, *Interim Cooperation Framework 2004-2006 Summary Report*, p. 23, (2004).

³⁹⁰ Caribbean Central American Action and Caribbean Publishing Company, *Caribbean Region Profile 2005*, p. B-87, (2004).

Florida's resident power companies even have the ability to export energy commodities.³⁹¹

The State of Florida, perhaps through entities like the Florida-Haiti Clearinghouse proposed in this report, should work with power companies operating in Florida on Haiti's power dilemma. Not only should technical assistance be encouraged, but resources which have been made available for Haitian power development (notably from USAID) could be linked to Florida companies interested in generating or supplying electricity for Haiti.

Throughout the course of its work, the Advisory Group was presented with a number of innovative proposals for generating power in Haiti, some by alternative means (these will be discussed in greater depth in the next chapter). Prime Minister Latortue, as well, proposed the possibility that perhaps Florida power companies could supply electricity to Haiti by way of undersea cable, much like Iceland supplies Great Britain with power.³⁹²

To explore these various options, the State of Florida could work with groups like the Haitian-American Association of Engineers and Scientists (HAES – based in Florida) who may have particular interest in developing innovative concepts for solving Haiti's power problems. Indeed, HAES recently conducted a 5-day seminar in Haiti dealing with alternative, renewable energy for the country.³⁹³ This organization may be one of many resources through which Florida may be able to help resolve Haiti's perennial electricity shortage.

³⁹¹ Florida Power & Light, "FPL Facts" website (www.fpl.com), (April 2005); and Progress Energy, "Operations" website (<http://www.progress-energy.com>), (April 2005).

³⁹² Address of the Honorable Gérard Latortue – Prime Minister of Haiti - to the Governor's Haiti Advisory Group, (Nov. 5, 2004).

³⁹³ Haitian-American Association of Engineers and Scientists (HAES), "Envirotech 2004 Haiti – Clean Energy for a Sustainable Haiti" website (<http://www.haiti-science.com/>), (April 2005).

Chapter 7 – VULNERABILITY TO DISASTER

“Vulnerabilities have been allowed to grow in Haiti to the extent that any natural hazard inevitably leads to great tragedy. And yet, thinking ahead and investing in prevention will save lives and livelihoods.”

Salvano Briceno – Director of the Inter-Agency Secretariat of the United Nations’ International Strategy for Disaster Reduction (ISDR), “Haiti’s Disasters Are Preventable,” UN/ISDR Press Release (September 27, 2004).

Introduction

Due to a number of factors, including its geographic position in the Caribbean, its great socio-economic distress, and the substantially deteriorated environmental conditions within the country, Haiti is extremely vulnerable to natural disasters. Such vulnerability causes great loss of life and property whenever a natural hazard inevitably presents itself.

The Advisory Group began its initial deliberations on October 4, 2004, a matter of days after the terrible flooding tragedy in Gonaïves and other parts of northwest Haiti, associated with Tropical Storm Jeanne. The staggering death toll (an estimated 3,006)³⁹⁴ associated with this disaster started the proceedings on a truly somber note. However, this event also informed the discussions of the Advisory Group and gave impetus to its hope that something like this would never happen again.

The following discussion will focus on the factors in Haiti that lead to disasters of this type, as well as the current infrastructure in place to mitigate such catastrophes.

³⁹⁴ Office of U.S. Foreign Disaster Assistance (OFDA) – U.S. Agency for International Development, “The Caribbean – Hurricanes” (Fact Sheet – Oct. 8, 2004).

The Current Situation

Hurricanes, floods, droughts, and earthquakes are Haiti's main natural threats, which very often become disasters due to the country's vulnerability. These natural cataclysms only further degrade an environment greatly deteriorated by human hands. In the 20th century alone, Haiti was plagued by 16 hurricanes, more than 25 major flooding incidents, 7 droughts, and one major earthquake.³⁹⁵

Major disasters in Haiti and their impact are well known. However, frequent localized flooding episodes, drought, and landslides that profoundly affect the population and hinder development in the countryside are generally not publicized. Data for the past two years show that rains above average intensity are causing more disasters than is usual.³⁹⁶

A recently released United Nations (UN) Development Programme report gave Haiti a Disaster Risk Index (DRI) that is among the highest in the world.³⁹⁷ According to the report, an average of 931 people are killed per year in Haiti due to natural disasters.³⁹⁸ The two major flooding events in one year in the north/northwestern portions of the country (surrounding Gonaïves) and the south/southeastern portions (Mapou and Fonds Verettes), are strong indications of Haiti's growing vulnerability to natural phenomena.

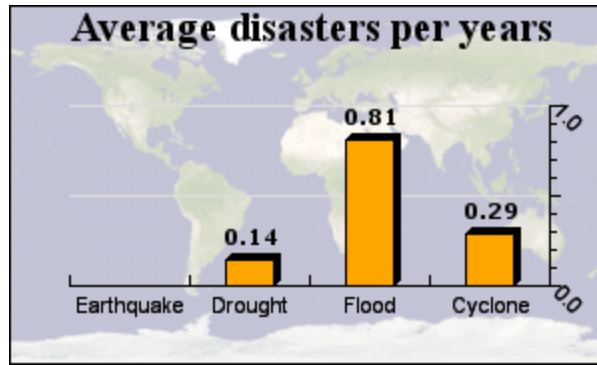
Some disasters, however, are more common in Haiti than others. As the graph below from the UN's Development Programme demonstrates, disasters related to flooding events are the most common natural catastrophes in Haiti. It is important to note that flooding incidents can be isolated or they can be associated with larger phenomena, such as hurricanes (cyclones) and tropical storms.

³⁹⁵ Directorate of Civil Protection – Ministry of the Interior – Republic of Haiti, “Le projet Appui à la mise en œuvre du Plan National de gestion des risques et des désastres,” website (<http://mirror.undp.org/haiti/risques/#>), (April 2005).

³⁹⁶ Aldy Castor – “Disaster Preparedness in Haiti” (Briefing Paper) (Feb. 2005).

³⁹⁷ United Nations Development Programme (UNDP), Reducing Disaster Risk: A Challenge for Development, (2004).

³⁹⁸ Id.



Graph Demonstrating the Average Number of Disaster Incidents per Year in Haiti – Graphic Courtesy of United Nations Development Programme.

Much of Haiti's vulnerability is due to its natural conditions: its geographic position, its topography, the presence of a geological fault line, and its geological history. For example, Haiti is naturally positioned within the path usually traversed by hurricanes and tropical storms each year.³⁹⁹

In addition to these natural conditions, though, human factors significantly increase Haiti's vulnerability. Factors such as poverty, overpopulation, anarchical urbanization, and the weaknesses of government institutions all contribute to this vulnerability. Perhaps the greatest human factor which increases disaster risk in Haiti is the degradation of the natural environment.

Haiti has a major problem with deforestation, as indicated in previous chapters. It is estimated that only 1% of the original forest cover remains in the country. However, on the very same island of Hispaniola, in the Dominican Republic (DR), things are very different. Pulitzer Prize-winning author and geography expert Jared Diamond describes the differences in the following way:

From an airplane flying high overhead, the border [between Haiti and the Dominican Republic] looks like a sharp line with bends, cut arbitrarily across the island by a knife, and abruptly dividing a darker and greener landscape east of the line – the Dominican side – from a paler and browner landscape west of the line – the Haitian side. On the ground, one can stand on the border at many places,

³⁹⁹ Meeting between the Delegation of the Governor's Haiti Advisory Group and Representatives of the Haitian Directorate of Civil Protection - Port-au-Prince, Haiti (Jan. 15, 2005).

face east, and look into pine forest, then turn around, face west and see nothing except fields almost devoid of trees... Today, 28% of the Dominican Republic is still forested, but only 1% of Haiti.⁴⁰⁰

Such an observation begs the question as to why things would be so very different on the same island. The question is not an academic one, as the environmental contrast between the two countries amounts to very real differences in the damage that is wrought from natural phenomena. The UN's Inter-Agency Secretariat of the International Strategy for Disaster Reduction (ISDR), recently explained the differences as they relate to the flooding deaths associated with Tropical Storm Jeanne, which passed over Hispaniola in late September 2004:

In May 2004, rains killed 2,665 people in Haiti. This week [week of Sept. 24, 2004] they have caused another 2,000 deaths [estimates were increased by over 1,000 after this statement was issued], yet only 11 are reported dead in the Dominican Republic. The force of rains in Haiti were less strong than the ones that struck the Dominican Republic, but nevertheless the loss in lives and livelihoods were much higher in Haiti than in the rest of the Caribbean. Why? The impact of the hazards is much greater in Haiti because the vulnerability of people there is higher. Rapid urbanization, lack of land management, the exploitation of charcoal and consequent deforestation make Haitian people more vulnerable to mudslides. In Haiti, 60 per cent of the people rely heavily on charcoal for their survival. This has a terrible effect on deforestation, whereas the Dominican Republic depends entirely on natural gas to cook.⁴⁰¹

⁴⁰⁰ Jared Diamond, *Collapse: How Societies Choose to Fail or Succeed*, p. 329 (2005).

⁴⁰¹ United Nations Inter-Agency Secretariat of the International Strategy for Disaster Reduction (ISDR), "Haiti: Poverty Generates Disasters," (Press Release – Sept. 24, 2004).



Floods Associated with Hurricane Lili in southern Haiti - Sept. 2002 – Photo Courtesy of Organization for the Rehabilitation of the Environment (ORE)

On October 4, 2004, the Advisory Group met with Former U.S. Ambassador to Haiti, Ernest Preeg. In light of the flooding incident which had just occurred, Ambassador Preeg discussed some of the factors that lead to deforestation in Haiti.⁴⁰² His 1996 study on Haiti further illustrates the connection between Haiti's deforestation and charcoal use for fuel:

Tree cutting for firewood or charcoal goes on at the rate of about 15 million – 20 million trees per year, with a corresponding annual loss of at least 6,000 hectares of farmland to soil erosion. Tree cutting accelerated during the crisis of 1991-1994, including mango, coffee, and other fruit trees, as both peasants and urban dwellers became desperate for any form of income and as imported fuel supplies were curtailed by the embargo.⁴⁰³

Such trends in deforestation are all the more troubling when one considers that 63% of Haiti's land area has a slope greater than 20%.⁴⁰⁴ Therefore, greater deforestation naturally leads to greater flooding and greater likelihood of landslides. As ISDR explains it:

...deforestation together with rapid urbanization are two of the main reasons that explain why so many people are affected by landslides in Haiti.

⁴⁰² Presentation by the Honorable Ernest Preeg – Former U.S. Ambassador to Haiti – to the Governor's Haiti Advisory Group, (Oct. 4, 2005).

⁴⁰³ Ernest H. Preeg, The Haitian Dilemma: A Case Study in Demographics, Development, and U.S. Foreign Policy, p. 35, (1996).

⁴⁰⁴ Id.

Deforestation has three main effects on the environment. It increases the run off of waters and flood peaks. It increases soil instability: by removing trees, the soil absorbs the water and creates mud and mudslides. It increases silt discharge in rivers and sea, which consequently blocks channels and changes the course of the rivers and creates deserts.⁴⁰⁵

It also seems as if some areas of Haiti are more prone to disasters than others. For example, the localities that watersheds and smaller catchment areas empty into are more likely to experience a flooding incident with heavy rains. This likelihood is only increased when heavy deforestation is added to the equation. Michael Benge, a Senior Forestry Advisor with the USDA Forest Service, who also has a great deal of experience in Haiti, has noted that the flood damage from storms in May and September 2004 directly corresponds to the drainage patterns of watershed areas. He has described the situation in the following way:

Recent floods stemming from the Artibonite watersheds killed thousands, destroyed houses and infrastructure, and inundated fertile farmlands and irrigation canals with rocks and other debris. These are reoccurring events that are largely due to the denudation of watersheds. There are two Artibonite watersheds, one running parallel to the Dominican Republic (DR) border and emptying into the Mapou and Fond-Verrettes areas; and the other running from the DR and emptying out at Gonaives on the coast.⁴⁰⁶

The next chapter will discuss possibilities for the stabilization of watershed areas to halt or at least slow hillside erosion in Haiti. This could in turn decrease the likelihood of disastrous flooding, as was seen in May and September 2004.

⁴⁰⁵ United Nations Inter-Agency Secretariat of the International Strategy for Disaster Reduction (ISDR), "Haiti – Hurricane Jeanne – Cousteau's Foresight" (Press Release – Sept. 27, 2004).

⁴⁰⁶ Michael Benge – Senior Forestry Advisor – USDA Forest Service – International Programs, Facts and Establishment Costs of Vetiver Hedgerows, Paper Presented to the Governor's Haiti Advisory Group (Jan. 28, 2005).

Disaster Prevention/Management Infrastructure

Despite an extreme vulnerability to natural disasters, the Government of Haiti does have an infrastructure in place to prepare for such occurrences and to mitigate their effects, when they occur. The basic function and structure of this system is worth noting, as it may indicate areas in which Florida disaster professionals could help to increase Haiti's institutional capacity.

Direction de la Protection Civile (DPC)

In 1983, the "Organization Pré-Désastres et Secours" (OPDES - Pre-Disasters and Aid Organization) was established by the Government of Haiti. Its mission was to develop a local system to respond to disaster within the country.

The creation of "La Direction de la Protection Civile" (DPC or the Directorate of Civil Protection), within the Ministry of the Interior and the Territorial Communities (MICT), was promulgated in the Republic of Haiti's organic law of 1986. DPC became the successor agency for the OPDES, and remains for Haiti the equivalent of the Federal Emergency Management Agency (FEMA) in the United States or the Division of Emergency Management in Florida. The DPC's stated mission is to coordinate the policies of the Government of Haiti for the prevention and management of disaster.

In 2001, DPC published Haiti's first *National Plan for Risk and Disaster Management*, which for the first time in the Caribbean region, integrated risk management under the umbrella of sustainable development.⁴⁰⁷ In 2003, nine departmental (state/provincial-level) disaster prevention/management committees, and more than 50 local committees were created.

The *National Plan for Risk and Disaster Management* developed certain emergency management policies, strategies, and legislation, as well as a National Committee for Risk and Disaster Management. Its political and strategic orientation rests on the following principles:

- Cooperation and the sharing of responsibilities between the central government, the local authorities, and civil society
- Decentralization to the communal section (the smallest territorial unit of the country) level of government

⁴⁰⁷ Direction de la Protection Civile – Republic d'Haiti - Plan National de Gestion des Risques et des Désastres, (Feb. 2001).

- Apolitical operation, so that the system will be open to all people, regardless of political convictions
- Further implementation of the *National plan of Prevention and Management of Risks and Disasters*⁴⁰⁸

Some important disaster preparedness actions by the DPC have been undertaken or are in the early stages of development. Some of these include:

- Training, education, and sensitization of the general population in risk and disaster management
- Re-organization and reinforcement of the DPC system
- Identification assessment of main, high-risk areas, and zones vulnerable to disasters
- Implementation of an early warning/alert system
- Development of a national plan of intervention
- Development of a plan of action for the hurricane season of 2004
- Creation of 74 different committees of risk and disaster management throughout the country: 9 departmental, 38 local, 36 communal sections
- Creation of the Thematic Constitution Committee which provides information on public health, codes of construction, seismic surveillance, etc.
- Development of risk signage: signs indicating flooding risks in the Artibonite Valley, in Port-au –Prince, and in the Northern Department
- Production of aerial photos showing the geological fault lines
- Development of an early warning system in the Southern Department

⁴⁰⁸ Id.

- Creation of a Haitian risk/disaster database
- Inclusion of risk, disaster prevention, and management themes in Haitian school curriculums

While these are definitely steps in the right direction, the DPC will need assistance in continually meeting and maintaining necessary standards for sound risk and disaster management. For example, while some form of early warning/alert system may have been instituted, it was unfortunately not fully effective in warning victims in the area of Gonaïves in September 2004. In response to that disaster and the enormous death toll associated with it, the UN's ISDR stated:

Deforestation is not the only problem; the lack of early warning facilities is another one. A survey conducted in July 2003 for the Second International Conference on Early Warning, in Bonn, Germany, found many early warning systems in the Caribbean; none in Haiti. Without early warning and preparedness, people are caught unawares and are highly vulnerable to death or injury.⁴⁰⁹

DPC Partners

Several international and/or external organizations are continuing to provide support the DPC's process to fully institutionalize the technical and financial aspects of the National Plan for Risk and Disaster Management. Some of these organizations include:

- International Organizations: the UN Development Programme (UNDP), the Inter-American Development Bank (IDB), the European Union (EU), the U.S. Agency for International Development (USAID), and the World Bank (WB)
- Non-Governmental Organizations: Pan American Development Foundation (PADF), and Oxfam International
- Partners from Florida: the U.S. Southern Command - Humanitarian Assistance Program (USSOUTHCOM/HAP), the

⁴⁰⁹ United Nations Inter-Agency Secretariat of the International Strategy for Disaster Reduction (ISDR), "Haiti: Poverty Generates Disasters," (Press Release – Sept. 24, 2004).

Haitian Resource Development Foundation (HRDF), and the Florida Association for Volunteer Action in the Caribbean and the Americas (FAVACA)⁴¹⁰

Emergency Medical Response/Public Health Infrastructure

When disaster strikes, emergency medical care and overall public health resources often need to be activated. However, the quality of emergency medical response is dependent on the capability of a locality's available public health infrastructure.

Human Resources for Health (HRH) are central to managing and delivering health services, especially in a disaster situation. As such, healthcare workers are increasingly recognized as a crucial element, if health systems and health services are to improve to meet the needs of better health outcomes for the people of Haiti.

The importance of sound empirical evidence for informed policy decision-making and the monitoring of progress towards achieving HRH and health systems development are essential. Today the HRH statistics for Haiti are abysmal. The following chart illustrates the grim reality that Haitians live with day in and day out.

Human Resources for Health Basic Data for Haiti: All Health Professions Density per 100,000 People

Profession	Value	Total Number
Nurses	10.7	837
Midwives	10.7	834
Physicians	25	1949
Dentists	1.2	94
Pharmacist	Not reported	Not Reported

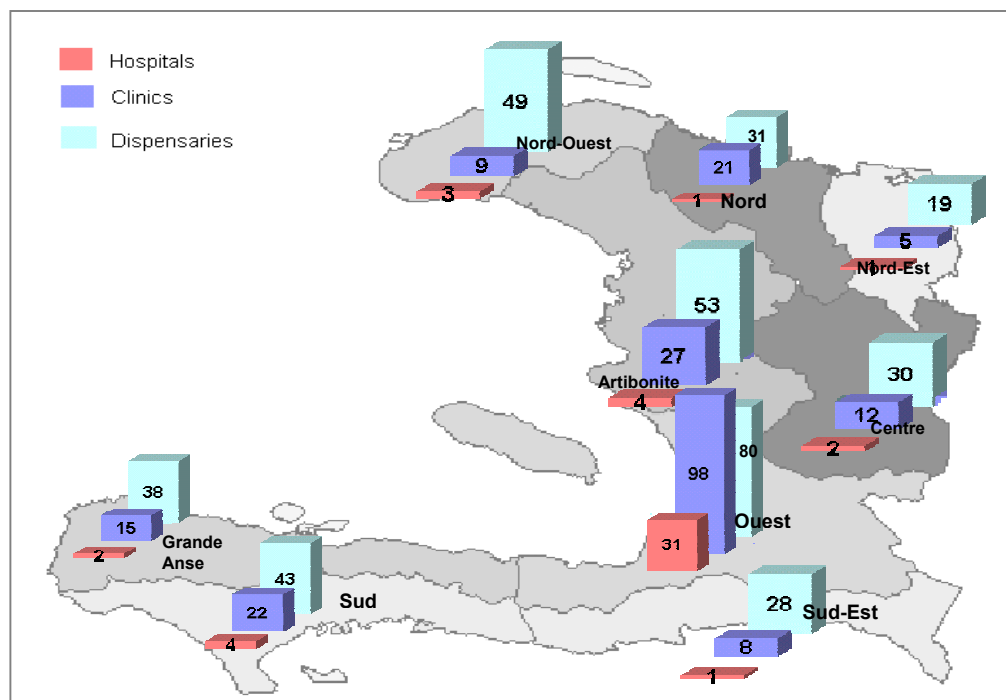
Source: World Health Organization, October 2004

The diversity of healthcare workers, their skill levels and educational experience varies tremendously. Therefore, defining and classifying HRH precisely can help Haitian policymakers and planners to better appreciate the significance of the stocks and flows of healthcare personnel.

⁴¹⁰ The preceding discussion on Disaster Prevention/Management Infrastructure was adapted from a briefing paper by Dr. Aldy Castor – Member of the Governor's Haiti Advisory Group (Feb. 2005).

In addition to a great deficit of HRH, Haiti lacks operable healthcare infrastructure. The graphic below illustrates the magnitude of the problem, as it relates to the provision of healthcare services within the country. Unfortunately, this shortage of healthcare facilities in Haiti is even more keenly felt in the aftermath of a natural disaster.⁴¹¹

Health Services Centers by Department



Graphic Courtesy of Pan American Health Organization (PAHO), 2000

In March and September 2004, USSOUTHCOM/HAP teams made an assessment of healthcare facilities and related institutions throughout Haiti in order to evaluate the country's capacity in emergency medical services. The facilities assessed included the State University Hospital of Haiti, the Hôpital de la Communauté Haitienne, the Hôpital Isaïe Jeanty - a maternity facility, the Hôpital Justinien in Cap Haitien, the Hôpital Immaculée Conception de Port-de-Paix, the Hôpital Communautaire de Référence d'Aquin, and the Hôpital Immaculée Conception des Cayes, as well as the

⁴¹¹ The preceding discussion on emergency medical/public health infrastructure was adapted from a briefing paper by Dr. Jessie Colin – Member of the Governor's Haiti Advisory Group (Feb. 2005).

National Fire Service. USSOUTHCOM/HAP made the following findings:

- Neither the hospitals nor the Fire Service provides pre-hospital emergency care. Currently, this service is only provided by the International Red Cross and private ambulance services.
- The hospitals had neither intensive care units (ICU's) nor functional and equipped emergency rooms (ER's)
- The Fire Service does not have trained medical responders.
- The hospital communication system is 10 years old and has not properly functioned for more than five years. There are no radios in existing ambulances. Emergency medical calls go to the police who in turn call the Red Cross to transport patients to the hospital.
- The General Hospital receives approximately 6,000 ambulance calls annually. There is no pre-hospital or emergency response training conducted at the hospital.
- Neither the Fire Service nor the hospital has search and rescue capability.
- Should there be an automobile accident that needs extrication, the Fire Service will solicit the assistance of citizens to remove the victims.
- With a population of 8.3 million, Haiti has a total of 189 firefighters with only 67 assigned to the fire station in Port-au-Prince. Yet the National Fire Protection Association (an international fire safety organization based in the United States) recommends a firefighter to civilian ratio of one to every 1,500.⁴¹²

Conclusion

The preceding discussion has focused on the current vulnerability of Haiti to natural disasters, as well as the country's established emergency management infrastructure. The next chapter will

⁴¹² The preceding discussion on Disaster Prevention/Management Infrastructure was adapted from a briefing paper by Dr. Aldy Castor – Member of the Governor's Haiti Advisory Group (Feb. 2005).

explore ways in which the State of Florida might be able to help lessen Haiti's risk factors, while at the same time, strengthen its institutional capacities to manage/prevent disaster.

Chapter 8 – ASSISTANCE WITH DISASTER PREPAREDNESS AND ENVIRONMENTAL REHABILITATION

“While many people are aware of the terrible impact of disasters throughout the world, few realize that this is a problem that we can do something about... Disasters are a problem that we can and must reduce.”

Kofi A. Annan – Secretary
General of the United Nations
(UN), Living with Risk: A Global
Review of Disaster Reduction
Initiatives, (2004).

Introduction

In the previous chapter, a number of factors were discussed that increase Haiti's vulnerability to natural disasters. Chief among these are the man-made (anthropogenic) risk factors that can be eliminated, or at least greatly reduced. Anthropogenic risk factors come in many forms including anarchical urbanization, overpopulation, and extreme poverty. For purposes of the following discussion, though, only two main categories of anthropogenic risk factors will be addressed: 1) lack of institutional capacity in agencies responsible for disaster preparedness/management, and 2) environmental degradation.

Florida has a great deal of resources and experience that could be brought to bear to assist the Government and people of Haiti in improving their disaster preparedness capabilities. Natural hazards, such as hurricanes, will always be present risk factors for Haiti. However, if the country can strengthen itself against these risks, it can significantly lessen its vulnerability to disasters. Florida's assistance in this endeavor could potentially save thousands of Haitian lives when the next natural hazard presents itself.

Assistance with Institutional Capacity Building

Recommendation 16: The State of Florida should employ its well-developed expertise and experience with natural disasters to provide technical assistance to the Republic of Haiti's Directorate of Civil Protection, in order for this agency to develop appropriate disaster management infrastructure and training. Technical training provided through the Florida Division of Emergency Management, as well as appropriate surplus equipment donated from other State and local agencies, could be utilized toward this end. All State of Florida efforts in this area should be coordinated with other public and private entities, which are currently working in Haiti to strengthen the Directorate of Civil Protection.

Discussion

When it comes to disasters, Florida has had its fair share of experience. This is especially true in light of the four recent hurricanes that struck the state, all within the 2004 hurricane season. While major property damage was inflicted, the loss of human life could have been much greater had Florida not had a well-developed emergency management/preparedness system in place.

The State of Florida's central disaster preparedness and management agency is the Florida Division of Emergency Management (DEM), within the Florida Department of Community Affairs. The DEM has an extremely well-developed infrastructure that prepares the state for any type of large-scale emergency situation, from severe weather (such as hurricanes) to terrorist attacks. The role of the DEM is defined in state law, which created the agency to centrally coordinate disaster response and preparedness for the entire state. Florida Statutes have also tasked the DEM to regulate and coordinate the activities of the localized emergency management agencies in each of Florida's 67 counties, and to work closely with both the U.S. federal government and other states' emergency management agencies.⁴¹³ The DEM and county emergency management agencies operate in accordance with the organizational protocols established in the *Florida Comprehensive Emergency Management Plan*.⁴¹⁴

⁴¹³ Section 252.32, Florida Statutes (2004).

⁴¹⁴ Division of Emergency Management – Florida Department of Community Affairs, Florida Comprehensive Emergency Management Plan 2004, (Feb. 2004).

One of the most important functions within the DEM, especially as relevant to Haiti, is the “Florida State Warning Point”. Housed in the well-equipped State Emergency Operations Center, the Warning Point serves as the central clearinghouse and coordination hub for all major emergencies and/or disasters within the state. Using state-of-the-art technology, the Warning Point monitors all possible disaster-related events (e.g. severe weather, hazardous material accidents, etc.) and coordinates a multi-county or statewide response when necessary. In conducting these activities, the Warning Point plays an extremely valuable role as:

...the Emergency Alert System primary control point for the State [which] has access to all commercial radio and television broadcast stations as well as cable television providers in Florida and is responsible for originating Emergency Alert broadcasts throughout the State. The State Warning Point is also the reception point for all Emergency Alert broadcasts originating from the Federal authorities and is responsible for relaying the national alerts to Florida outlets. A very sophisticated and complex network is required to operate the Emergency Alert System and the Florida system is used as an example for other states on how to develop and use the Emergency Alert System. There have been several hundred Emergency Alert System activations statewide during the past several years, mostly for severe weather.⁴¹⁵

Just as this smoothly-operating Emergency Alert System is used as a model for other U.S. states, it could also prove very useful as a model for the DPC in Haiti. As discussed in the last chapter, Haiti’s capabilities in the area of early warning are not fully developed. Indeed, on January 28, 2005, the Advisory Group was given this same information by John Fleming, Communication and Warning Officer for the DEM. Mr. Fleming, who has worked quite closely with the DPC in past years (through consulting missions with FAVACA), explained that there are current infrastructural limitations in Haiti that inhibit the full implementation of an effective communication/early warning system. However, he stated that by providing emergency response technical assistance and possibly conducting a countrywide study on the implementation of

⁴¹⁵ Division of Emergency Management – Florida Department of Community Affairs, Summary of Emergency Management Capabilities 2001-2002, p. 14, (2003).

an early warning system, Florida could do a great deal to strengthen the DPC's capabilities.⁴¹⁶

The DPC itself made a request along the same lines to the Advisory Group two weeks before, on January 15, 2005. On this occasion, a delegation of the Advisory Group met with representatives of the DPC in Port-au-Prince to discuss how Florida might be able to help their mission. The DPC provided the delegation with a number of requests for assistance that would serve to strengthen existing disaster preparedness programs in Haiti. These requests included:

- Financial and technical assistance for a national communication system for prevention and management of risks and disasters
- Technical and financial support for the prevention of seismic risks
- Financial and technical assistance for capacity building of the DPC Office
- Financial and technical assistance for the introduction of themes of risk and disaster prevention and management in school/academic curriculums
- Assistance with integration into other regional and international systems
- Assistance in specialized training in risk and disaster prevention and management through scholarship in Florida
- Training in Haiti on prevention and management of risks and disasters
- Request for specialized, heavy emergency management equipment⁴¹⁷

The type of technical assistance requested by the DPC may be a perfect function of the Florida-Haiti Professional Exchange and Training Program discussed in Ch. 2 of this report. Some technical

⁴¹⁶ Presentation by Mr. John Fleming – Communication and Warning Officer – Florida Division of Emergency Management – to the Governor's Haiti Advisory Group, (Jan. 28, 2005).

⁴¹⁷ Meeting between Representatives of the Directorate of Civil Protection and a Delegation of the Governor's Haiti Advisory Group, (Jan. 15, 2005); and Meeting Notes by Dr. Aldy Castor – Member of the Governor's Haiti Advisory Group.

assistance for disaster preparedness and management could be provided on-site in Haiti through Florida technical consultants, possibly from the DEM. This type of training in Haiti has been conducted in the past with positive results. However, increasing civil unrest in recent years unfortunately halted further technical assistance from Florida in this area. Following are some examples of past disaster preparedness training, from FAVACA mission summaries:

- John Fleming...with the Florida Department of Community Affairs...worked with Haiti's Ministry of the Interior...during his June 23-28, 1997 mission. He provided recommendations which included re-vamping the communication system to provide access to outlying areas of Haiti in an emergency. Equipment operators will be trained to use the new system during an upcoming mission. Equipment for the new system is being donated by the Florida Department of Community Affairs.
- The Centre de Developpement des Ressources Humaines (CDRH), a center for human resources development in Haiti, working in collaboration with the Pan American Development Foundation (PADF), requested FAVACA's assistance to develop a community-based disaster mitigation training program for Jacmel...Julie Collins, emergency planner for the Florida Division of Emergency Management in Tallahassee conducted the training June 18-24, 2000.⁴¹⁸

Of course, technical assistance provided to the DPC would not have to be solely conducted on-site in Haiti. Officials from the DPC and localized disaster preparedness committees could also travel to Florida to receive training and confer with their counterparts within the state. One prime setting for an exchange like this could be the Governor's Hurricane Conference, an annual event (this year taking place on May 9-13th) that brings together emergency management officials from around Florida for several days of workshops, meetings, and relevant speakers. Such an event would provide Haitian emergency management officials an opportunity to see how fellow professionals in Florida deal with very similar natural hazards as those faced in Haiti.

⁴¹⁸ Florida Association for Volunteer Action in the Caribbean and the Americas (FAVACA), Quarterly Contract Reports to the State of Florida (1997-2000).

In any efforts to assist the strengthening of the DPC, Florida entities should attempt to coordinate activities with other organizations that are pursuing the same goal. For example, U.S. Southern Command – Humanitarian Assistance Program (USSOUTHCOM/HAP), based in Miami, is actively working with DPC and the World Bank to build a National Emergency Operations Center in Port-au-Prince.⁴¹⁹ Specialists from the DEM’s Emergency Operations Center (EOC) in Tallahassee (arguably one of the most modern, effective EOC’s in the United States) could greatly complement an initiative like this. As in all of the recommendations discussed in this report, a united, coordinated effort between interested agencies is always the best approach.

Assistance with Environmental Rehabilitation

Recommendation 17: The State of Florida should promote and identify resources for a limited reforestation/watershed stabilization pilot program in Haiti, utilizing new approaches to this continuing problem. Such a pilot program, possibly in partnership with a major Florida research university, should focus on halting erosion on deforested hillsides in areas prone to flooding.

Discussion

As outlined in the previous chapter, massive deforestation in Haiti has greatly increased the country’s vulnerability to natural disasters. Specifically, floods and associated mudslides, the most common disasters in Haiti, are significantly linked with the effects of deforestation. It was such catastrophes in May and September 2004 that killed nearly 6,000 Haitians.

The Advisory Group reviewed literature on the subject of deforestation, met with forestry experts in Florida and Haiti, and often discussed the topic in meetings, attempting to identify possible solutions for this growing problem. On January 28, 2005, the Advisory Group heard testimony from Michael Benge, a Senior Forestry Advisor with the USDA Forest Service’s International Programs. Mr. Benge provided a compelling case for the strategic stabilization of watershed areas in Haiti in order to control erosion

⁴¹⁹ Aldy Castor, “Disaster Preparedness in Haiti” (Briefing Paper Presented to the Governor’s Haiti Advisory Group) (Feb. 14, 2005).

on deforested hillsides. The Advisory Group was very interested in Mr. Bengé's ideas, especially those related to the planting of "vetiver" grass hedgerows. As many of the Advisory Group members had previously noted, vetiver has been shown to be effective in many countries for the prevention of erosion and flooding in deforested areas. Particularly compelling were Mr. Bengé's arguments for the use of vetiver hedgerows in combination with traditional tree-planting "reforestation" efforts.

The Advisory Group believes that the State of Florida could play a unique and valuable role in Haiti's efforts to rehabilitate its deteriorating environment. From major research universities (e.g. the University of Florida's School of Forest Resources and Conservation) to state government agencies (e.g. the Florida Dept. of Agriculture's Division of Forestry), Florida possesses a number of resources that could be utilized in this area. For this reason, the Advisory Group is hopeful that the State will assist Haiti in exploring different options for hillside stabilization. Through the promotion of innovative strategies to combat an age-old problem, the correct formula may be found to reverse this extremely destructive trend.

Below is a portion of a larger paper presented to the Advisory Group by Mr. Bengé. It is hoped that his ideas may spark further exploration of possible solutions.

Recommendations from Michael D. Bengé – USAID/USDA Forest Service⁴²⁰

Tropical Storm Jeanne passed near the northern coast of Haiti, resulting in heavy rain, mudslides, and severe flooding, in the coastal areas of Gonaïves in the Artibonite (from the watersheds of *Trois Rivières* and *Quinte River* and their tributaries) resulting in several hundred deaths.

The USAID Mission in Haiti reacted expeditiously to support a request made by the Ministry of Agriculture for a nationwide tree seedling distribution activity. This entailed the rapid distribution of 140,000 seedlings in May and June 2004 to be planted in the 10

⁴²⁰ The Following Discussion Adapted (slightly) from a Concept Paper entitled "Disaster Mitigation, Flood and Erosion Control in Haiti" excerpted from "A Foundation to Mitigate Disasters, Restore the Environment and Stimulate Development in Rural Haiti" by Michael Bengé – USAID/USDA Forest Service – Presented to Governor's Haiti Advisory Group (March 2005) (Used with Permission).

agricultural regions of the country, especially on highly eroded hillside areas.

Contrary to popular belief, trees are not very effective in preventing erosion in their formative years. If trees are to be effective in controlling erosion, they must be planted densely enough to form an adequate canopy to soften rainfall. Additionally, groundcover is an important part of the equation -- agricultural crops, grass or underbrush that contribute to creating a good amount of litter and duff that further protects the soil and increases water infiltration to recharge groundwater aquifers. This takes several years, as it does for trees to establish root systems extensive enough to anchor the soil to prevent slides and control erosion.

Hurricanes and the resulting floods are an ever-occurring event. Once the soil is washed from the watersheds, such as those in southeastern areas of Haiti, the soil is lost forever. Thus the resources needed for Haitians in these areas to grow enough food to feed their families are greatly diminished; thus they become poorer and poorer. When the next disaster occurs, a greater amount of outside relief aid will be needed. Therefore, it seems logical that USAID should invest in stabilizing these watersheds beyond planting just a few trees.

The benefits and costs of disaster mitigation were dramatically demonstrated by in a project funded by USAID's OFDA [Office of Foreign Disaster Assistance] in Kinshasa, DRC (Charles Setchell - *Flood Mitigation in Kinshasa, DRC: A Success Story* - USAID/OFDA). By adopting conservative assumptions -- and only accounting for direct economic losses -- one dollar of OFDA "investment" in disaster reduction in 1998 resulted in a "savings" of at least \$45.58 during the 1999 rainy season. More importantly, 100,000 project beneficiaries did not have to again incur direct economic losses amounting to \$7.1 million, or \$71.06 each, in 1999 because of the OFDA "investment" of \$1.56 per beneficiary in 1998. On a per-family basis, OFDA-supported disaster reduction measures resulted in a "savings" of \$426, or the equivalent of nearly 54 percent of average annual income, thereby enabling families to purchase the food, clothing, medicine, and other essential items that they may have had to forego in the event of a flood reoccurrence. Furthermore, these benefits continue to accrue over time because there has not been a repeat of the flooding that occurred in 1998. There was also another beneficiary: OFDA. The 1998 investment in disaster reduction eliminated the need for OFDA to provide flood-related disaster response funding in 1999, thereby saving time,

effort, and money that can be applied to natural and complex disasters elsewhere.

USAID Mission support for the Ministry of Agriculture is laudable; however in reality, 140,000 seedlings (trees) will do little to control erosion on steep hillsides and aid in future disaster mitigation in Haiti. At an extremely wide spacing of 3 meters by 3 meters, this number of trees would only cover 126 hectares total or 12.6 hectares per region and would do little to control erosion.

On the other hand, vetiver grass planted on the contour of steep hillsides establishes extensive root systems and begins reducing erosion within the first year. A study by scientists from Texas A&M after Hurricane Mitch in Honduras, shows that erosion was reduced from "92 tons of soil/ha/yr to 0.9 tons/ha/yr on steep hillside farms that were protected by contour hedgerows of vetiver."⁴²¹



Vetiver Grass Hedgerows
Successfully Stabilizing a Hillside –
Photo Courtesy of Michael Bengé

Vetiver hedgerows are not invasive, and are propagated by cuttings only. The plants do not produce viable seed. Planting hedgerows is labor intensive, but once established, they require little maintenance. Natural terraces begin forming behind vetiver hedgerows soon after planting. Not only do hedgerows mitigate erosion, but empirical data indicate that the survival, growth and production of trees and annual crops planted behind the hedges can be increased by as much as 50% by conserving topsoil, increasing the availability of nutrients and moisture for these plants. Ground water is also recharged. For example in China, "Tea yields increased by 40% when grown in

⁴²¹ A.S.Toness, T.L. Thurow and H.El. Sierra, Sustainable Management of Tropical Steeplands: An Assessment of Terraces as a Soil and Water Conservation Technology. Technical Bulletin No. 98-1. Soil Management Collaborative Research Support Program/Texas A&M University. 52p; and T.L. Thurow and J.E. Smith, Jr., (April 1998). Assessment of Soil and Water Conservation Methods Applied to the Cultivated Steeplands of Southern Honduras. Technical Bulletin No. 98-2. Soil Management Collaborative Research Support Program/Texas A&M University. 21p, (April 1998).

conjunction with vetiver grass hedges, and vetiver hedges are much cheaper and more effective than terraces."⁴²² Vetiver hedgerows would also benefit coffee production in Haiti.

Vetiver planting materials are readily available in many areas in Haiti. Cuttings (slips) can be harvested from existing vetiver plantings without damage to existing systems. Harvesting techniques are easily taught, and the cuttings can be paid for by either cash or food-for-work (e.g., rice, beans, cooking oil). The cuttings can easily be bagged or boxed and transported to the planting sites, with care taken so the cuttings do not dry out. Similarly, farmers at the project site can also be paid to plant the hedgerows in either cash or food-for-work. A-frame levels can easily be constructed and used to ensure that hedgerows are planted on the contour. There are a number of cooperators in the Caribbean working with the Vetiver Network (see <http://www.vetiver.org>).

Conservation Corps

Haitians have a cultural heritage of *kombit* -- working together to help each other -- that can provide the basis for creating Community Conservation Corps (CCC) to plant vetiver hedgerows. Once organized, the CCCs, with technical assistance, can map out the extent of the land area that is associated with the community that is to be treated. Both public and private lands must be treated. This will require legal instruments to be enacted for the targeted watersheds that would allow communities to gain tenure of the public lands to be treated for effective erosion and flood control.

A watershed may comprise several catchment areas. To be effective in watershed stabilization, each catchment area must be treated, one at a time, with contour vetiver hedgerows in order to optimize engineering and environmental soundness. A potential problem is convincing farmers in the catchments/watersheds that a certain amount of land, some of which may be theirs, must be given up on which to plant the hedgerows for the greater good of the entire population.

Land tenure is a very complicated and a very emotionally-charged issue in Haiti. Traditionally, inherited tenure of a parcel of land is subdivided among siblings. As a result, ownership is fragmented, and most often, parcels of land are very small. In one catchment area, a person may be farming several very small parcels of land

⁴²² Guan Min Ding - Soil and Water Conservation Bureau - Fujian Province, China, in The Vetiver Network Newsletter, No. 18, (Dec. 1997).

scattered throughout a catchment area. One or more of the parcels may be owned, and the others farmed on shares with one or more relative. Some may be tenant-farmed with rent paid to an absentee landowner, some of whom no longer reside in Haiti. Also there are a small number of squatters farming either public or private land without formal permission, and paying no rent. Other land in the catchment are may be public land or privately owned but not being farmed. Additional, some people lay claim to large parcels of public land for which they have no deed, having gained access through a political concession, some paying a modest rent, by a former regime in Haiti, and sublease it out to tenant-farmers at a much higher rate.

Grass-roots Democracy Building

Kombite can serve as a basis to build and strengthen grass-roots democracy within the community by discussing the need for erosion and flood control and mitigation. Particular catchment areas can be delineated by using GPS, and through democratic dialogue, a community can map out individual land use patterns within the area. Tenure can be identified, which is necessary to determine and resolve issues of the placement contour hedgerows, and what kind of trees and other plants will be planted where, in order to optimize environmental soundness and economic benefits.

It is imperative that private land owners be allowed to retain ownership of their land and reap benefits from the improvements. However, in a given catchment/watershed, all land owners must participate in order for water/watershed management to be effective.

Tree Species Selection and Tenure

Fruit, fodder and trees that can serve as a source of food (e.g., *Benzolive* – Moringa) are usually selected by farmers for planting in their fields. Trees for fuel, poles or higher-value construction wood are more appropriate for planting on public or common lands. There are two NGOs with tree seedling nurseries that are based in the Dominican Republic who assist farmers in SE Haiti where the recent floods occurred: FUDECO, an affiliate of the Save the Children, and World Vision.

Tenure is key to tree planting in Haiti, especially when it comes to public and common lands. Tenure determines who is responsible for planting and care of the trees, and who will reap the benefit or profit from growing the trees. Again, this is where the democratic process comes in. In order for this to work, the central government in Port-au-Prince community must provide legal certification to the

community that the public/commons land within the catchment/watersheds is ceded to the community. Once this is done, the community can democratically decide how the land will be allocated; the first priority goes to compensate those farmers who lost land due to the planting of the vetiver hedgerows. The rest of the land can be parceled out and the community can issue performance-bond leases (a form of tenure) to individuals granting them tenure to the land for a specified period of land (e.g., 20-40 years) as long as they maintain it in an environmentally sound system (e.g., a specified amount of tree cover).

Vetiver as Livestock Forage

By periodically pruning the hedgerows, vetiver can provide voluminous amounts of mulch for composting to improve soil texture and carbon content in the natural terraces formed behind the hedgerows. Old-growth from vetiver hedgerows is best used for compost; however, young regrowth is tender and makes good livestock feed.

When the hedgerows are cut back, this will not reduce the effectiveness of the hedgerows to control flooding and erosion, for it does not damage their root systems. If the vetiver grass is combined with forage from leguminous shrubs/trees, such as *Leucaena*, the hedgerows would form an excellent basis for a cut-and-carry livestock system for tethered animals. Such systems could be coupled with the importation and distribution of the South African (Boer) meat goats (said to be most efficient in converting forage to energy for meat production) from the U.S. through Heifer Project International (www.heifer.org). Supplementary *Leucaena* forage can be pruned from leguminous shade trees, yard fences, or secondary hedgerows planted around farmers' houses or in fields.

Distribution of these improved goats would provide a tremendous incentive for the establishment of the hedgerows, as well as creating a significant source of income for the farmers. This might also serve as a form of compensation to farmers for land lost in establishing contour hedgerows. Farmers would be required to tether all livestock in project areas. Tethering goats would reduce damage to trees and food crops caused by the small native free-roaming Haitian goats, and Haitian goats would be phased out of the project area with the introduction of Boer goats.

The Boer goats could either be distributed through a livestock loan program, or a system could be created whereby a farmer would be

loaned a pregnant doe to care for. Goats most often give birth to twins, and the farmer would be given one of the twins as their own, and the second twin would be given to a second farmer, and the doe would be returned to the NGO for breeding and to loan out again to another *abitans*, thus multiplying results and creating cultural cohesiveness among farmers in the catchment.

There is a ready market for goat meat in the Caribbean and if a large enough supply was created, the goats could be marketed to the Haitian and Cuban community in Florida, either shipped live to Caribbean or U.S. markets, or processed through a central abattoir in a major population center like Port-au-Prince and frozen carcasses shipped. A portable abattoir was developed under a USDA grant for Native Americans to process buffalos in order to meet sanitary regulations. Such a device could be modified and adapted for regional use in Haiti.

A similar project was implemented in Indonesia, only *Leucaena*, instead of vetiver, was used for the contour hedgerows and forage source, and credit loans were made available to purchase Indonesian livestock that were required to be tethered and fed by forage by “cut and carry.” The root systems of *Leucaena* hedgerows are not quite as effective as vetiver for controlling erosion. Nevertheless, according to an evaluation of the program, the systems were quite effective and farmers using the contour hedgerow livestock systems became the most prosperous in the region.

Vetiver is not new to Haiti and in some places it is grown to harvest the roots to be processed into perfumes or fixatures for other scents. Because of this, among some in Haiti, vetiver has been unjustly cited as creating erosion rather than halting it. However, this is not a problem in areas that are not within economic hauling distances of existing distillation facilities, or if farming systems are created whereby vetiver roots are only harvested from plants grown only between permanent hedgerows.

Vetiver hedgerows can also be very valuable in preventing erosion and water damage within housing areas (e.g., Cité Solé), and in protecting roads. The hedgerows should be coupled with urban tree planting in housing areas, which could serve as shade as well as a source of food or forage. When planted along embankments and in catchment areas, vetiver hedgerows can also reduce erosion of roadsides. The hedgerows are also extremely important in reducing stream bank erosion and sediment loads in streams, in clarifying

water, and in maintaining and increasing year around water flow of springs and streams.⁴²³

Reduction of Charcoal Use for Fuel

Recommendation 18: The State of Florida should assist and encourage the Republic of Haiti in the development of alternative sources of energy to reduce the demand for wood charcoal. Emphasis could be placed on relatively low-cost and environmentally-friendly alternatives, such as hydroelectric power, wind power, and solar power. Haiti has an abundance of hydroelectric, wind, and solar power potential that could be developed as energy alternatives.

Discussion

In the last chapter, it was noted that deforestation in Haiti is in large part due to the practice of felling trees in order to make charcoal. It was explained that approximately 60% of Haitians rely on charcoal as fuel (for cooking, etc.).⁴²⁴ However, it has also been noted that charcoal is not only being used as a primary fuel source in rural areas. It is also being used by businesses in some of Haiti's cities. According to reports, Haitian peasants often cut down trees in order to make charcoal that they then sell to people living/working in the cities.⁴²⁵

This presents a real problem. As long as charcoal is seen as a source of cheap (or free) fuel for Haitian peasants, as well as a source of profit (when it is sold to the cities), trees will continue to be cut down. This of course, will only further decrease the 1% of forest cover remaining in Haiti, and increase the country's vulnerability to floods and mudslides.

⁴²³ The Preceding Discussion Adapted (slightly) from a Concept Paper entitled "Disaster Mitigation, Flood and Erosion Control in Haiti" excerpted from "A Foundation to Mitigate Disasters, Restore the Environment and Stimulate Development in Rural Haiti" by Michael Bengé – USAID/USDA Forest Service – Presented to Governor's Haiti Advisory Group (March 2005) (Used with Permission).

⁴²⁴ United Nations Inter-Agency Secretariat of the International Strategy for Disaster Reduction (ISDR), "Haiti: Poverty Generates Disasters," (Press Release – Sept. 24, 2004).

⁴²⁵ Presentation of Dr. Michael Bannister – Center for Sub-Tropical Agroforestry – University of Florida – to the Governor's Haiti Advisory Group, (Jan. 28, 2005).

The Government of Haiti has realized this dilemma. In the *Interim Cooperation Framework Summary Report*, the transitional Government lists a number of priorities for “Environmental Protection and Rehabilitation” (Section 3.7). The first of these priorities reads as follows:

Promote the substitution of wood and charcoal in urban areas and in the small and medium-size enterprises by the usage of substitute fuel and the promotion of new energies: conversion of 30,000 urban households to LPG [liquefied petroleum gas] and kerosene and support to homes utilizing improved use of coal or wood; conversion to diesel and to LPG of 1,000 companies that use wood as fuel; financial support to briquette producers; initiation of a study to determine the feasibility of wood importation, promotion of new energies (solar and wind) for institutional reinforcement and improved access for the poor to energy services.⁴²⁶

The Advisory Group believes that Florida can play a role in this process. From research at the state’s universities to the activities of private energy corporations, there are considerable resources available that could make a positive contribution to the Government of Haiti’s initiative.

For example, the University of Central Florida houses the Florida Solar Energy Center, which is one of the largest publicly-funded research institutes focusing on renewable energy in the United States.⁴²⁷ Furthermore, the Florida Solar Energy Center has expressed active interest, currently and in the past, in working with Haitian institutions to develop solar energy in Haiti.⁴²⁸ As for possibilities relating to wood importation, Florida regularly generates large quantities of “scrapwood” (tree cuttings, wood debris, etc.). This is especially true after the recent hurricanes that the state experienced. Some believe that this wood could be processed and shipped to Haiti to be used as fuel. For instance, the Haitian Development Association, based in the Tampa-Bay area, approached the Advisory Group with a structured proposal to deliver

⁴²⁶ Republic of Haiti, *Interim Cooperation Framework 2004-2006 Summary Report*, p. 29, (2004).

⁴²⁷ Florida Solar Energy Center – University of Central Florida – Website (<http://www.fsec.ucf.edu/>), (April 2005).

⁴²⁸ E-Mail from Mr. William Young – Florida Solar Energy Center – to Michael Pilver – Staff Director for the Governor’s Haiti Advisory Group, (March 15, 2005).

Florida scrapwood to Haiti in order to relieve pressure on Haitian trees, currently cut down for charcoal.⁴²⁹

These are just some of the many resources and possibilities from Florida that could be explored further to assist Haiti in finding alternatives to using native charcoal for energy production.

⁴²⁹ Haitian Development Association, “Scrapwood Proposal,” (Dec. 2004).

Chapter 9 – ADVOCACY ISSUES

“Our problems are numerous, but our determination to solve them is very strong.”

Prime Minister Gérard Latortue,
Address to the Governor’s Haiti
Advisory Group (November 5,
2004).

Advocacy Issues

In addition to the formal recommendations discussed previously, the Advisory Group also believes that the State of Florida’s advocacy for Haiti on the following issues may be of great value:

Recommendation 19: The State of Florida should continually encourage the U.S. federal government and the international community to aggressively engage resources and develop innovative strategies to help the Republic of Haiti address critical problems areas.

Recommendation 20: Through regional forums, The State of Florida should foster dialogue between the governments of Haiti and other countries in the Caribbean to address the problem of wood charcoal exportation from Haiti to areas such as the Bahamas and the Dominican Republic.

Recommendation 21: The State of Florida should encourage the U.S. federal government to re-examine its official travel warning for Haiti, as this warning discourages the flow of both investment and tourism into the country.

Recommendation 22: The State of Florida should encourage the promotion of microcredit in Haiti as a means of providing sustainable economic development for the rural poor.

Recommendation 23: The State of Florida should encourage the Government of Haiti to create an official post for an Inspector General as an independent entity reporting to the President of Haiti, the Prime Minister of Haiti, and the International Donor Community. Implementation of this recommendation would help to ensure good governance in Haiti, in order for the country to meet Millennium Challenge Account (MCA) eligibility guidelines and other international donor standards.

Recommendation 24: The State of Florida should promote the development of a Haitian Conservation Corps to facilitate and maintain reforestation/watershed stabilization projects in Haiti. The development of such a Haitian Conservation Corps could be based on models that have met with much success in other flood-prone areas of the Caribbean and Latin America (e.g. Honduras and Mexico).

Recommendation 25: The State of Florida should encourage the international community, particularly countries utilizing the Napoleonic Code/civil law, to assist Haiti in modernizing and strengthening its judicial system.

Chapter 10 – CONCLUSION

“Haiti is at an important crossroads...now, perhaps more than at anytime in decades, there is an opportunity for the Haitian people to make a break from their troubled past and begin again to make progress on the path of democracy and development.”

Assistant U.S. Secretary of State
Roger Noriega, Address to the
Governor’s Haiti Advisory Group
(November 5, 2004).

Over the last six months, the Advisory Group has received a great deal of information regarding the current problems facing Haiti and possible solutions to some of those problems. The Advisory Group has also considered very carefully the ways in which the State of Florida could best provide assistance to Haiti’s successful reconstruction.

While the Advisory Group is proud of what it has accomplished, it believes that its work has really just begun. Florida and Florida’s large Haitian-American community have a definite role to play in Haiti’s future. The Advisory Group hopes that this report and the recommendations contained herein will serve as a foundation for on-going cooperation between the people of Haiti, the people of Florida, and the people of all the United States.

Based on the given testimony, information submitted, the research of staff, and long consideration, the Advisory Group restates the following recommendations:

Final Recommendations

Comprehensive

Recommendation 1: As the Governor’s Haiti Advisory Group submits its final report, it believes that the work for which it has

been tasked has merely just begun and that it is imperative that Florida's efforts to assist Haiti continue. Accordingly, the State of Florida should establish an office or designate an organization to manage an on-going Florida-Haiti Initiative. Through staff coordination and a dedicated website, this office/organization would serve as a clearinghouse to disseminate information concerning the three priority areas that were identified by the Group (Economic Development, Disaster Preparedness, and Security), as well as other areas important to Haiti's reconstruction. The office/organization would also maintain strong relations with Florida's Haitian-American community and would work to carry out other recommendations described in this report.

Recommendation 2: The State of Florida should establish a Florida-Haiti student exchange program, in which Florida students could travel to Haiti for service projects ("Service Learning" and internship credit hours) and Haitian students could travel to Florida with scholarships to study in the public, independent, and community colleges and universities of Florida.

Recommendation 3: The State of Florida should provide resources for the creation of a dedicated Florida-Haiti Professional Exchange and Training Program with the Government of Haiti. This would allow Florida volunteers, utilizing their vast experience and skills, to travel to Haiti to provide in-country technical assistance/training and for Haitian officials to travel to Florida to receive longer-duration off-site training (in a productive, effective environment). The objective of the professional exchange and training program would be to provide Haitian participants with the knowledge, skills, and resources they need to work more effectively in their respective fields and to build greater capacity within Haitian institutions. Technical assistance/training could be rendered in any number of areas including security, infrastructure development, urban housing projects, disaster preparedness, public health, education/literacy, elections, business development, public administration, environmental protection/conservation, technical trades, etc.

Recommendation 4: The State of Florida should actively promote Haitian Hometown Associations (HTA's) in Florida and Florida sister cities with Haiti, as a vehicle for mobilizing Florida's large Haitian-American Diaspora to accelerate decentralization by assisting in the development of individual towns/areas of Haiti. This promotion of HTA's/Sister Cities could partly be accomplished

through the Florida-Haiti clearinghouse office/organization discussed in Recommendation 1.

Security

Recommendation 5: The State of Florida should utilize its great expertise and experience in law enforcement, corrections, and public safety to assist the growth and professionalization of the Haitian National Police (HNP). The State should coordinate its efforts in this area with the United Nations Stabilization Mission in Haiti (MINUSTAH) and the Organization of American States (OAS), which are both currently facilitating police training/development programs in Haiti. Haitian police and corrections officials could possibly travel to Florida to receive advanced professional development training through entities like the Florida Department of Law Enforcement's Criminal Justice Executive Institute. Similarly, police and corrections officials from any number of Florida's state and local law enforcement/corrections agencies could be encouraged to travel to Haiti to serve as on-site technical consultants. The State of Florida should encourage municipalities with large Haitian-American populations to also engage their resources (e.g. Miami-Dade County, City of Miami, etc.).

Recommendation 6: The State of Florida should support and encourage the rendering of technical assistance from Florida for specialized areas of Haiti's security infrastructure. Areas lacking adequate security programs that threaten the free flow of commerce and tourists, such as Haiti's seaport and airport facilities, should receive special attention.

Recommendation 7: The State of Florida should encourage the U.S. federal government to re-examine its policies with respect to bans on non-military weapon and security equipment sales to legitimate Haitian law enforcement entities.

Recommendation 8: The State of Florida should use its extensive past experience with organizing elections to provide technical assistance and support to the Republic of Haiti's Provisional Electoral Council (CEP), as this body prepares the country for national elections in November 2005. Peaceful and uncontested elections should be viewed as imperative for the future security and stability of Haiti. The State should utilize the Florida Department of

State's Division of Elections and other appropriate organizations to render necessary technical resources. Emphasis should also be placed on working with Haitian-Americans in Florida to assist with the upcoming elections (as elections observers, etc.).

Recommendation 9: The State of Florida should sponsor and host National Dialogue and Reconciliation talks in Florida for Haiti's various political parties prior to the national elections set to take place in Haiti in the fall of 2005.

Economic Development

Recommendation 10: In order to assist the Republic of Haiti in the collection of import duties on goods coming from Florida, the State should jointly explore with the Government of Haiti the establishment of a specialized Bilateral Trade Facilitation and Development Agency.

Recommendation 11: The State of Florida should partner with appropriate organizations/agencies in Florida and Haiti (Enterprise Florida, Florida Chamber of Commerce, AmCham Haiti, Chamber of Commerce & Industry of Haiti, etc.) to sponsor a Haiti-Florida Trade Mission and Matchmaker Fair in which representatives of Haitian businesses can travel to Florida to meet with counterparts. Promotion of investment in Haiti, as well as networking and identification of export opportunities for Haitian products would be primary goals. A second trade mission from Florida to Haiti could follow. As there is a need to enlarge the business sector in Haiti to provide for inclusive capitalism, the State of Florida should also:

- Identify and help facilitate an organization to create a “one-stop shop” for incorporation of business in Haiti to appeal to the Haitian-American Diaspora as potential investors.
- With possible technical assistance from entities such as Enterprise Florida - encourage the Republic of Haiti to liberalize its investment laws, strengthen its laws regarding property rights, and create a viable property records/registry system. Enforcing the Rule of Law should be stressed as a priority. All of this will serve to stimulate greater foreign direct investment into the country.

Recommendation 12: The State of Florida should assist Haiti's Ministry of Commerce, Industry, & Tourism in its plan to create a targeted tourism marketing campaign to attract Haitian-American residents of Florida to return to their country as tourists in order to rediscover its natural beauty and historical attractions. Entities such as VISIT FLORIDA might be able to provide guidance/assistance in this endeavor.

Recommendation 13: The State of Florida should encourage cruise lines operating in Florida to provide technical assistance/guidance to the Haitian Ministry of Commerce, Industry, & Tourism in the development of various ports-of-call as one of the country's most viable areas of areas of growth in the tourism sector. Investment in ports-of-call development should also be encouraged.

Recommendation 14: The State of Florida should work with the Florida Congressional Delegation to express the importance of preferential trade agreements like the HERO Act and the HOPE Act (between the United States and Haiti) for job creation and economic development in Haiti's manufacturing sector.

Recommendation 15: The State of Florida should encourage Florida power companies to assist the Government of Haiti in producing adequate levels of electricity in the cities and rural areas of Haiti.

Disaster Preparedness/Environmental Rehabilitation

Recommendation 16: The State of Florida should employ its well-developed expertise and experience with natural disasters to provide technical assistance to the Republic of Haiti's Directorate of Civil Protection, in order for this agency to develop appropriate disaster management infrastructure and training. Technical training provided through the Florida Division of Emergency Management, as well as appropriate surplus equipment donated from other State and local agencies, could be utilized toward this end. All State of Florida efforts in this area should be coordinated with other public and private entities, which are currently working in Haiti to strengthen the Directorate of Civil Protection.

Recommendation 17: The State of Florida should promote and identify resources for a limited reforestation/watershed stabilization pilot program in Haiti, utilizing new approaches to this continuing problem. Such a pilot program, possibly in partnership with a major Florida research university, should focus on halting erosion on deforested hillsides in areas prone to flooding.

Recommendation 18: The State of Florida should assist and encourage the Republic of Haiti in the development of alternative sources of energy to reduce the demand for wood charcoal. Emphasis could be placed on relatively low-cost and environmentally-friendly alternatives, such as hydroelectric power, wind power, and solar power. Haiti has an abundance of hydroelectric, wind, and solar power potential that could be developed as energy alternatives.

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Recommendation 25: The State of Florida should encourage the international community, particularly countries utilizing the Napoleonic Code/civil law, to assist Haiti in modernizing and strengthening its judicial system.

Appendix A

2002 Investment Code of the Republic of Haiti

Whereas, in order to stimulate the national economy, it is necessary to take all useful measures to speed up the rate of directly productive investments;

Whereas private investments, both national and international, are the determining factor in economic growth and development;

Whereas it is necessary to create a favorable investment climate in Haiti through the granting of legal guarantees and through the implementation of simple and efficient regulations;

Whereas in the context of its program to combat poverty, the government aims to facilitate economic growth, technology transfer and the integration of national production by giving priority to the Tourism, Agriculture, and Handicrafts sectors, as well as the development of Small and Medium Enterprises and Foreign Trade Zones;

Whereas, to guarantee sustainable development in Haiti, it is appropriate to cause productive activity to be more environmentally safe;

Whereas, for all these reasons, it is appropriate to modify the Investment Code so that it takes into account all the various goals mentioned above;

On the report of the Ministers of Commerce and Industry, of the Economy and Finances, and after deliberation at the Ministers Council;

The executive power has proposed and the legislative body has passed the following law:

PART I INTRODUCTORY PROVISIONS

CHAPTER I PURPOSE OF THE CODE

Article 1.- The purpose of this Investment Code is to promote economic growth and development in Haiti by facilitating, liberalizing, stimulating and guaranteeing private investments within the confines of the laws, the Constitution, Treaties, Agreements and Concords to which the Republic of Haiti is a party.

Article 2.- The State grants general guarantees to all investors. In the context of this Code, it defines the general conditions and types of incentives granted in Haiti, to certain kinds of investments likely to increase competitiveness in sectors which are considered priorities or strategically important and because of their respective contributions to added value, to the creation of sustainable employment, to the renewal of national production equipment; to economic growth; to the reduction of balance of payments deficit and to the creation of a national labor force.

Article 3.- Similar guarantees are granted to all physical persons or corporate bodies who are active in the production of goods or in the supply of services in the sense defined by this Code, whatever their nationality, provided that they are legitimately established on the territory of the Republic.

The guarantees, which are applicable to any investment whatsoever, constitute standard procedure. Exemptions from duty and from taxes as well as other special benefits are part of the incentive programs.

Article 4.- The benefits guaranteed and other privileges granted by virtue of this Code may not be limited or removed for the duration of the period for which they are granted.

However, the provisions of the preceding clause are not to be applied in cases of infringement of the law, of failure of the beneficiary to comply with the obligations resting upon him/her, of abuse of the privileges received or of breach of commitments in consideration for which these privileges had been granted.

The investments made under the auspices of this code may however take advantage of any new legislation which benefits them.

CHAPTER II DEFINITIONS

Article 5.- In the sense of this Code, the following is understood:

a) Incentive privileges:

Any favorable legal provision, granting an exemption from standard procedure, from which specific economic agents benefit in order to stimulate their sector;

b) Foreign trade Enterprise:

Any resident or non-resident physical person or corporate body within a foreign trade zone involved in a production activity or in the sale of goods or of services exclusively oriented towards exportation.

c) Foreign trade Commercial enterprise:

Any foreign trade enterprise for the processing or wholesale trade of export goods and services.

d) Foreign trade Industrial enterprise:

Any enterprise involved in the production of goods, the supply of services or the assembly of products to be exported.

e) Duty and tax exemption:

The exoneration of all customs duties and any other duty, tax and charge whatsoever except user fees for the use of public services.

f) Investment:

The assignment of assets, of production activities, of goods or of services in such a way that they are no longer immediately available for consumer needs.

g) Priority investment:

Any investment eligible for incentive benefits within the terms of this Code.

h) Preferred investment

Any investment made under the auspices of this Code in an area which is considered to be of particular interest for the ordered development of a sector provided for by the Code.

i) Investor:

Any physical person or corporate body who assigns resources to the production of goods and services such as indicated in point (f).

j) Enterprise:

An economic and technological commercial entity which is financially independent and is working towards essentially producing or supplying certain goods or services.

k) Preferred product:

The good belonging to one of the sectors defined as preferred for production and for which an enterprise benefits from certain fiscal and customs exemptions.

l) Revenue:

The consideration of what an investment earns such as profit, fees or interest (direct or indirect remuneration), as well as all proceeds from the transfer of assets.

m) Preferred revenue:

Revenue attributable to a preferred investment or to a preferred product.

n) Suspension arrangements comparable to the foreign trade zone:

Customs warehouses, international transit, drawback and temporary entry system for active development and for re-export in the state or any other system combining several of these features among them.

o) Inter-Departmental Commission on Investments:

A public cross-sectoral organism the purpose of which is to decide on the opportunity to grant the benefits prescribed by this Investment Code.

CHAPTER III SCOPE

Article 6.- This Code is applied to all private investments both national and foreign. The benefits of this Code cover enterprises working towards improving the environment. The Ministry of the Environment and/or any other organism working in its stead, can through reasoned opinion recommend the annulment of benefits granted in the context of this Code if the processes of manufacture generate negative externalities exceeding generally accepted levels.

TITLE II GENERAL GUARANTEES

CHAPTER I ON FREEDOM OF ENTERPRISE

Article 7.- The investor enjoys the freedom to make any investment or take any Trade action authorized by the laws and the Constitution, notably the right to:

- a) engage in the economic activity of his/her choice;
- b) employ or terminate personnel in accordance with the provisions of the Labor Code;
- c) market his/her production of goods and services;
- d) freely establish management methods in his/her business;
- e) choose his/her sources of supplies;
- f) be a member of any association operating in the same field.

Article 8.- The State will refrain from any interference in the activities of the private enterprise except to ensure that the laws and regulations in effect are respected.

The rejection of a request for entry into one of the exemption arrangements does not imply any limit on freedom of enterprise but rather signifies that the investment concerned is covered by standard procedure.

CHAPTER II ON THE PRINCIPLE OF NON-DISCRIMINATION

Article 9. - Subject to constitutional provisions, no monopoly can exist in favor of an enterprise, whether public or private.

Article 10. - When a State enterprise or an enterprise controlled by the State and a Haitian or foreign private enterprise are engaged in competing economic activities, they are subject to the same laws.

Article 11.- Haitian investors and foreign investors enjoy the same rights and privileges. However, foreign investors residing in Haiti must obtain

permission to reside. No other authorization, license or permit which is not required of Haitian investors is applicable to foreign investors. Foreign investors pay taxes, duties and levies according to the schedules and regulations which are applicable to Haitian investors.

The right to real estate property is guaranteed to foreign investors for the needs of their enterprise. Investors have the same rights and prerogatives as Haitian investors in fulfilling the main purpose of their enterprise.

CHAPTER III ON THE MOVEMENT OF CAPITAL

Article 12.- The reimbursement of debts incurred abroad for an investment made in Haiti is not subject to any constraint or taxation.

CHAPTER IV ON THE GUARANTEE OF THE RIGHT TO PROPERTY

Article 13.- The right to property is guaranteed and protected by the State. Expropriation is allowed only when for the common public interest after payment of just and previous compensation equivalent to the market value of the property, as determined by expert appraisals. The State cannot demolish, or take possession of the property before compensation has been effectively paid.

Article 14.- Intellectual property is guaranteed and protected by law. Any person found guilty of counterfeiting will be submitted to the penalty provided for by the law.

CHAPTER V ON LEGAL PROTECTION

Article 15.- Foreign and Haitian investors enjoy equal protection under the Law.

Court decisions and arbitration sentences passed abroad are enforceable in Haiti, subject to the formalities provided by the Code of Civil Procedure and in the international agreements to which the Republic of Haiti is a party.

Article 16.- Foreign investors who are plaintiffs in Haiti are exempted from the “judicatum solvi” bond in any civil case involving an investment in Haiti.

TITLE III STANDARD PROCEDURE

Article 17.- Subject to restrictions involving national interest and sanctioned by the Constitution and by the law, physical persons and corporate bodies regardless of nationality are guaranteed:

- The right to freely dispose of their properties and to organize according to their wishes their production and trade activities;
- Freedom to recruit and employ;
- Protection of trademarks, patents and labels as well as other forms of industrial protection;
- The transfer of dividends and other revenues, such as described under title I Chapter II article 5 (l) and article 5 (m).

Article 18.- In addition to general rights and guarantees mentioned above, certain types of investments, which are considered likely to make a particular contribution to the socio-economic development of the country, can benefit from incentives defined and regulated by this Code.

TITLE IV INCENTIVES

CHAPTER I ON ELIGIBLE INVESTMENTS

Article 19.- The investments that benefit from incentives in the context of this Code are constituted especially by those:

- a) which are exclusively oriented towards export and re-export;
- b) made in the field of Agriculture;
- c) made in the field of Handicrafts;
- d) made in national industry;

- e) made in Tourism and related services;
- f) made in foreign trade zones;
- g) made in other special sectors and arrangements.

CHAPTER II ON GENERAL PROVISIONS

Article 20.- Any enterprise wishing to establish itself in a location where the infrastructures are insufficient or inexistent is authorized to build them and to exploit them in exchange for a program to be submitted when it presents its request. Infrastructures include the constructions, facilities and equipment that are generally necessary for its operations.

Article 21.- The owners or shareholders of companies benefiting from incentives are subject to pay personal income taxes on revenue they earn from the enterprise, except as otherwise provided by this Code.

Article 22.- Any sale, assignment or transfer, merger, partial management buyout or other form of partnership of a company benefiting from the provisions of this Code requires authorization by the Inter-Departmental Commission on Investments.

In the event of the sale of a preferred enterprise's shares to another entity, the latter enjoys continued benefits provided for by the Code if and only if it proves that the assets acquired serve the same purposes of production of goods and services which had initially justified the grant of these benefits. The acquiring enterprise is simply subrogate to the initial beneficiary and the period for the enjoyment of benefits is limited to the remaining number of years.

Article 23.- Foreign employees working in a company benefiting from incentives and whose contract period is longer than three (3) months is exempt from foreigners business license taxes, but they must previously obtain a work permit and the company may obtain a permit to employ without paying related duties.

Article 24.- The provisions of the law on health cards are not applicable to companies benefiting from incentives whenever these companies have an adequate health service duly authorized by the Minister of Public Health and Population.

Article 25.- Any payment made abroad for the purchase of technology (license, franchise, etc.) by a company operating in Haiti under the auspices

of this Code is considered as an operating expense for the duration of use, on the proof that this operation responds to real need on the part of the company. The same is applicable to salaries paid to foreign technicians traveling to Haiti whose stays do not exceed six (6) weeks to install new equipment or to train personnel.

Article 26.- Any enterprise benefiting from exemption from paying income taxes and whose operations have been suspended because of fortuitous events can, after approval by the Inter-Departmental Commission on Investments, benefit from extension of an exemption proportional to the suspension period.

Article 27.- Companies involved in activities provided for by Article 19 and approved by the Inter-Departmental Commission benefit, in addition to privileges provided for by this Code and the legislation in effect, from the following fiscal breaks:

1) Total exoneration from income taxes for a period which shall not exceed fifteen (15) consecutive years.

After the total exoneration period, partial taxation will be applied as follows:

- a) at the end of the first year, fifteen percent (15%) of income will be taxable;
- b) at the end of the second year, thirty percent (30%) of income will be taxable;
- c) at the end of the third year, forty-five percent (45%) of income will be taxable;
- d) at the end of the fourth year, sixty percent (60%) of income will be taxable;
- e) at the end of the fifth year, eighty percent (80%) of income will be taxable;
- f) at the end of the sixth year, the totality of the enterprise's income will be taxed according to the income tax law. The enterprise will not benefit from renewal or extension of the exemption except in cases of fortuitous events, according to article 26 of this Code.

2) Accelerated depreciation:

- a) Built-up properties 10% per year

- b) Heavy equipment: motors, heavy machinery, tools, stationary equipment 25%
- c) Operating furnishings 20%
- d) Light equipment: tools and instruments, air conditioners, computer equipment 50%
- e) Rolling stock 50%
- f) Software 100%
- g) Naval and air equipment 50%
- h) Office equipment 33%
- i) Dishes, drinking glasses, kitchen utensils, silverware (hotel industry) 100%
- j) Linen (hotel industry) 100%
- k) Start-up costs 50%
- l) Fixtures, furnishings and installations 20%
- m) Development costs 33%
- n) Survey and research costs 100%
- o) Tractors 25%

3) Exoneration from local taxes except the fixed professional tax for a period which shall not exceed fifteen (15) years.

Article 28.- In the case of renovations, reequipping, expansion, rehabilitation, modernization of companies benefiting from incentives or from benefits which are already approved by the Inter-Departmental Commission on Investments, these companies can only benefit from:

- a) fiscal and duties exoneration on the import of equipment goods and materials.
- b) exemption from deposits and guarantees provided for by the Tariff Code for the same goods on temporary entry.

CHAPTER III INVESTMENTS ORIENTED TOWARDS EXPORT AND RE-EXPORT

Article 29.- Any enterprise whose services or production are geared towards export or re-export is entitled to the following tariff and fiscal relief:

1.- Exemption from customs duty and from income taxes on the import of equipment goods and materials needed in installation, operations and production of the enterprise including among others:

- machines and devices intended for prospecting and research;

- conveyances exclusively intended for transportation of the enterprise's supply materials and manufactured products;
- buses solely assigned for the transportation of personnel, in conformance with the Labor Code;
- tools and spare parts needed in repairing machinery, equipment and materials;
- electrical and sanitary equipment needed in company installations;
- devices and equipment intended for company security and surveillance;
- products intended for production operations;
- consumable items (catalysts, chemical accelerators, etc.);

2.- Temporary entry for active development of raw materials and packaging materials;

3.- General exemption from bonds or security deposits in the temporary entry of raw materials and packaging materials;

4.- Exoneration from payroll taxes and other direct internal taxes; for a period which shall not exceed fifteen (15) years.

5.- Exemption from audit charges.

CHAPTER IV INVESTMENTS IN AGRICULTURE

Article 30.- Investments in the following are considered as investments in agriculture:

- 1) high sea fishery;
- 2) industrial aquaculture;
- 3) industrial stockbreeding;
- 4) organic or non-organic horticulture (fruits and vegetables, decorative and medicinal plants, flowers, teas, spices, etc.);
- 5) silviculture;

as well as all investments considered as such by the Inter-Departmental Commission on Investments.

Article 31.- Agricultural undertakings, companies for agricultural development, agricultural cooperatives involved in activities defined in the preceding clause are entitled, in addition to the benefits provided for by this Code and by laws on Agriculture, to the following benefits:

1.- customs duty and tax relief on import of equipment goods and materials necessary for the establishment and operations of the enterprise, including:

- tractors, two-wheel tractors, fishing boats and outboard motors and any other equipment necessary for the enterprise's operations;
- seed, fry, fertilizer, pesticides, plants, fungicides and all other agriculture, stockbreeding and fishing inputs;
- nets, traps and other fishing equipment;
- devices and equipment used in the construction of hothouses, incubators for the production of poultry;
- spare parts and tools used in equipment maintenance;
- post-harvest machines, tools and equipment such as gins, pulpers, grain threshing machines;
- packaging, preserving and processing materials and all equipment deemed necessary in company production.

2.- Exemption from payroll taxes and all other direct internal taxes for a period which shall not exceed fifteen (15) years.

3.- Exemption from the security deposit provided for by the Customs Tariff Code for temporary entry imports.

CHAPTER V INVESTMENTS IN THE PRODUCTION OF HANDICRAFTS

Article 32.- Investments in the following, among others, are considered as investments in handicrafts production:

- Sculpture;
- Painting;
- Iron work, metal cut outs;
- Woodwork;
- Basketwork;
- Pottery;
- Embroidery;
- Brickwork;
- Tanning and leatherwork;
- Spinning and weaving;
- Tapestry and printing on textiles;

As well as all other investments considered as such by the Inter-Departmental Commission on Investments.

Article 33.- Handicrafts companies and cooperatives involved in the activities defined by the previous clause or approved by the Inter-Departmental Commission are entitled, in addition to the benefits provided for by this Code and by handicrafts laws, to the following benefits:

1) Customs duty and tax relief on the import of equipment goods and materials needed in the establishment and operations of these companies, including:

- Equipment, materials and supplies and accessories needed by the enterprise;
- Packaging supplies and materials;
- Spare parts and tools needed in repairing these materials and equipment.

2) Exemption from payroll taxes and other direct internal taxes for a period which shall not exceed fifteen (15) years.

3) Exemption from the security deposit provided for by the Tariff Code for temporary entry imports.

CHAPTER IV INVESTMENTS IN NATIONAL INDUSTRY

Article 34.- All investments involving the processing of raw materials of local or foreign origin for the production of goods with an added value of at least 35% and intended for local consumption are considered as preferred investments.

Commercial activities are excluded, such as: conditioning and packaging of goods imported in bulk.

Article 35.- Companies engaged in the activities defined by the preceding clause and approved by the Inter-Departmental Commission on Investments are entitled, in addition to the benefits provided for by this Code, to the following benefits:

1.- Customs duty and tax relief on the import of equipment goods and materials needed in the establishment and operations of the enterprise, including:

- Machines and devices intended for prospecting and research;

- Conveyances exclusively intended for the transportation of company supplies and finished products;
- Buses exclusively assigned for transporting personnel, in conformance with the Labor Code;
- Tools and spare parts needed in repairing machines, equipment and materials;
- Electric and sanitary equipment needed in company installations;
- Devices and equipment used in company security and surveillance;
- Exemption, for a period which shall not exceed twenty (20) years, from customs duties on raw materials to be used in processing. If the enterprise in question has undergone modernization or rehabilitation, the period for this exemption shall not exceed five (5) years.

2.- Exoneration from payroll taxes and other direct internal taxes for a period which shall not exceed fifteen (15) years.

3.- Exemption from the security deposit provided for by the Tariff Code for temporary entry imports.

Article 36.- Industrial concerns which export a portion of their production or who sell it to a concern involved in export, are exempt from paying Sales Taxes (TCA) on these sales.

CHAPTER VII INVESTMENTS IN TOURISM AND RELATED SERVICES

Article 37.- Investments in the following, among others, are considered as investments in tourism:

- Furnishing and commercial use of Tourist Zones;
- Tourist accommodations in both urban and rural areas (hotels, hotel-restaurants, hotel-residences, apartments, condominiums, time shares, motels, country restaurants, inns, etc.);
- Automobile, airplane, boat and pleasure helicopter rental services;
- Conveyance services used exclusively in the tourist industry;
- Private ports or marinas used in mooring pleasure boats;
- Furnishing and making commercial use of seaside resorts, beachside hotels and tourist compounds;
- Private airports and service providers directly linked with the tourism industry;
- Aerial cableway services for leisure or for mountain conveyance;
- Amusement parks, botanical gardens and zoos;

- Tourist activity services such as: convention centers, theaters, conference halls, exhibit galleries;
- Food service industry and commercial use of buildings, monuments and tourist sites;
- Healthcare centers (therapeutic care and spas);
- Training in tourism fields such as hotel and restaurant management training and youth hostels;

As well as all other investments in tourism approved by the Inter-Departmental Commission on Investments.

Article 38.- Companies engaged in tourism development, tourism service providers working in the fields defined in the preceding clause and/or located in Tourism Development Zones identified by the Government are entitled to, in addition to the benefits provided for by this Code and by Tourism laws, the following customs and tax benefits:

1) Customs duty and tax relief on import of equipment, goods and materials needed in prospecting, establishing, furnishing or refurnishing, when this material or this equipment cannot be found locally in the same quantities and according to the same quality and price standards; including:

- Building materials;
- Electrical equipment;
- Electric energy production or compensation systems;
- Security or surveillance systems or equipment;
- Communications and telecommunications systems;
- Refrigeration systems and equipment;
- Household appliances, linen, cooking and serving utensils;
- Water treatment systems and equipment;
- Rare plant and animal species;
- Longboats and tows;
- Small aircraft, boats and pleasure helicopters;
- Utility vehicles intended for commercial use;
- Material and equipment needed in furnishing and operations of tourism activities;
- Spare parts for material and equipment.

2) Exemption from the security deposit provided for by the Tariff Code in temporary entry imports;

3) Exemption from the Land Tax on Built-Up Properties for the first ten (10) years of restoration of buildings registered as part of the national heritage and open to the public;

4) Exemption from individual income taxes for revenue generated by the investment, in accordance with provisions of clauses 26 and 27 of this Code.

Article 39.- When a tourism-related enterprise must use property that is part of the private and/or public domain of the State in realizing its project, the Ministry in charge of Tourism, after approval of the case by the Inter-Departmental Commission on Investments and by the Municipality, will authorize the granting of a lease for a period that shall not exceed fifty (50) years.

CHAPTER VIII FOREIGN TRADE ZONES

Article 40.- Promoters, operators and users of foreign trade zones (physical persons or corporate bodies) shall be entitled, in addition to the benefits provided for by this Code, to fiscal and customs benefits mentioned in the law on foreign trade zones.

CHAPTER IX OTHER SECTORS AND SPECIAL ARRANGEMENTS

Article 41.- Physical persons or corporate bodies who submit qualifications as well as financial guarantees, may enter into such agreements with the State, according to the law, for the establish in Haiti of business concerns which are considered to be of particular interest for the collectivity due to their inherent characteristics, to the size of the investment they require, to the high priority attributed to their realization or to the strategic nature of the field of business. These agreements will specifically define the special status granted to the business concern, the related special benefits, as well as the obligations in exchange due from the beneficiary/beneficiaries.

TITLE V PROCEDURES – ADMINISTRATIVE MECHANISMS – RESPONSIBILITIES MONITORING AND SANCTIONS

CHAPTER I

COMPETENT BODIES

Article 44.- For the purposes of application of clauses concerning incentives provided for by this Code, an Inter-Departmental Commission on Investments (ICI) is created.

Article 45.-

Article 45.1.- The Inter-Departmental Commission on Investments includes senior technical staff and is constituted as follows:

- Two (2) representatives from the Ministry responsible for the Economy and Finances;
- One (1) representative from the Ministry responsible for Commerce and Industry;
- One (1) representative from the Ministry responsible for Tourism;
- One (1) representative from the Ministry concerned, according to the sector and the investor targeted.

Article 45.2.- The decisions resulting from deliberations in the Inter-Departmental Commission on Investments shall pass by at least three votes.

Article 46.- The Presidency and Secretariat of the Inter-Departmental Commission on Investments will be filled by the Economy and Finance Ministry. The Commission shall be headquartered at the Ministry responsible for Economy and Finance and will meet at least once per week. By-laws will define the Commission modalities of operation.

Article 47.- The mission of the Inter-Departmental Commission on Investments is:

- a) to receive and decide upon the conformity and eligibility of cases submitted, for benefits and privileges provided for by this Code;
- b) to implement, along with all promotion agencies and other competent administrative bodies, procedures for investment facilitation;
- c) to decide upon the possible withdrawal of benefits granted in the context of the Investment Code, in cases failure to comply with legal or administrative obligations by the beneficiary business concern.

CHAPTER II ON THE REQUEST FORM

Article 48.- Any investor wishing to benefit from incentives must produce a reasoned request to the Ministry or the institution concerned who, in accordance with the regulations and procedures in effect, shall forward the file to the Inter-Departmental Commission on Investments who shall decide on the eligibility for fiscal benefits.

The file is forwarded according to a form provided for this purpose. This form, duly filled out, must be included with the agreement or accord draft to which shall be annexed a schedule of activities and of imports. Forms of this kind for each type of investment will be available at the Secretariat of the Inter-Departmental Commission on Investments.

Article 49.- The granting of benefits and privileges provided for by this Code is possible through an agreement or accord between the Ministry concerned and the beneficiary after approval by the Inter-Departmental Commission on Investments. This agreement or accord shall mention, among other things:

- a.- the duration of the benefits granted;
- b.- the general conditions under which the commercial use shall take place, the types of equipment to be used, their installation and start-up schedule, the beneficiary's action and/or production program, the beneficiary's specific commitments in terms of professional training and employee benefits, the schedule for the implementation of the various programs agreed upon;
- c.- the means of control which shall be used to monitor and ensure the timely implementation of commitments by the beneficiary;
- d.- the different types of guarantees given by the State;
- e.- the obligations on the part of the beneficiary;
- f.- the fiscal and customs duty exemptions granted to the beneficiary;
- g.- the modalities for abrogation or cancellation of the agreement and likely reasons for such, as well as applicable sanctions in the event of non-compliance with the commitments entered into or the conditions provided for;
- h.- the types of resolutions for conflicts resulting from the application of the Agreement.

Article 50.- Any enterprise wishing to take advantage of the benefits provided for in article 19 et seq. of this Code should submit a request to the competent Ministry or institution. This file shall be submitted in due time for reasoned opinion to the other Ministries and/or institutions involved in the type of activity described.

Article 51.- Any Agreement entered into to grant fiscal benefits beyond those provided for by this Code or the legislations in effect and/or involving the disposal (sale) of property from the private domain of the State and/or granting a lease for a period exceeding fifty (50) years should be sanctioned by a law.

Article 52.- The Agricultural Development Zones and the Tourist Development Zones shall be determined by Executive Order.

This Order shall determine the specific management rules for these development zones and the control measures to avoid speculative maneuvers on these properties and attempts to create a monopoly.

CHAPTER III THE APPROVAL OR REJECTION FORM

Article 53.- The approval or rejection report form is identical for all types of investments proposed. This report should include the signature of all members of the Inter-Departmental Commission on Investments.

The Inter-Departmental Commission on Investments has up to ten (10) business days from the day the completed request file is received to notify of its decision.

Article 54.- Once the approval is signed, notification from the Secretariat of the Commission shall be published in a major daily newspaper in the Republic of Haiti, and charges for this publication shall be covered by the beneficiary.

The party concerned and the entities concerned shall be notified of the decision of the Inter-Departmental Commission on Investments by the competent Ministry.

Article 55.- In the event of a rejection, a reasoned report, bearing the signature of all members of the Inter-Departmental Commission on Investments shall be prepared.

The party concerned and the entities concerned shall be notified of the decision by the competent Ministry.

CHAPTER IV RIGHT OF REVIEW

Article 56.- The Inter-Departmental Commission on Investments is a deliberating body and its decisions can be questioned only through right of review under the conditions provided for by Article 59 of this Code.

Article 57.- Any party which is dissatisfied with Commission decisions shall submit, within fifteen (15) days following notification of the decision, an automatic right of review to this entity.

In the event that the original decision is upheld, a claim shall be submitted to an Appeals Committee which shall include the General Directors of the Ministries responsible for the Economy and Finance who shall preside the committee, of Tourism, and the General Director of the Ministry or the Institution concerned. A period of fifteen (15) days is also provided for this action to take place.

Article 58.- The claim is receivable only under the following circumstances:

- 1) When a company which is already established in Haiti considers that the benefits granted to a competing enterprise are detrimental to its interests and applies for the same benefits;
- 2) When one of the parties involved is not satisfied with the decision of the Inter-Departmental Commission on Investments in the event of a rejection or of a partial approval.

Article 59.- Within eight (8) business days following submittal of the claim, the Minister responsible for the Economy and Finance will call a meeting of the Appeals Committee. At this meeting, to which the investor may be invited, the president of the Inter-Departmental Commission on Investments shall present the case and shall support the Commissions arguments. The Committee has up to eight (8) days to decide on the case and shall submit a report to the Ministry in charge of the Economy and Finance. The decision shall be reasoned.

Article 60.- The Appeals Committee may sustain or reverse the Commission's decision. The Appeals Committee shall report to the Minister in charge of Economy and Finance who shall inform the investor

and the commission of the final decision. If a decision by Commission to reject is sustained, then the request shall definitely be rejected.

In the event of a reversal of the original decision, the commission shall decide once again on the case, within the same time limits as provided for above.

CHAPTER V RESPONSIBILITIES

Article 61.- The companies benefiting from exemptions under the terms of this law remain subject, under pain of fines, to the formalities of submittal of financial statements and other fiscal responsibilities in the forms provided for by the law. However, the exonerated charges shall not be required during the exemption period.

Article 62.- The enterprise benefiting from incentives has the duty to comply with the activities and production program as well as the implementation schedule submitted with the admissions application, under pain of sanctions established by the preceding Clause.

However, this provision is not applicable to all companies having obtained authorization for modifications as provided for in Article 72 of this Code.

Article 63.- Any enterprise benefiting from incentives must maintain an accounting system in accordance with accounting standards in effect in Haiti. This accounting system should consider the benefits obtained as contributions and should clear indicate the portion of revenue which is attributable to preferred activities or products in cases where only a portion of production is approved.

Article 64.- The price of goods and services produced by the enterprise accepted for preferred arrangements and working for the local market shall be forwarded every six (6) months, and in all cases previous to their entry into effect, to the Ministry of Commerce and Industry. The comments of the competent Ministry shall be forwarded to the party concerned within up to twenty (20) days.

Article 65.- Any enterprise benefiting from customs duty exemptions must be capable of justifying at any time the use it has made of these exemptions. To these ends, it must maintain a stock book to be quoted by the General Tax Service. This stock book shall list exclusively the merchandise ordered and received free of duties with all indications that might be useful in the course of an inspection.

However, any enterprise concerned by this Code and using a different accounting system must advise the competent institutions of such and bring to their attention the software used as well as the methods utilized in auditing the information. Failure to notify of such shall result in sanctions for non-maintenance of accounting books as required by the law.

Article 66.- Companies benefiting from incentives must keep the stock book mentioned in the preceding clause updated and present it on the request of the competent services following a duly prepared report. In addition, the enterprise must present, on the 10th of each month at the latest, a production report for the preceding month in conformance with a form delivered by the Ministry in charge of the Economy and Finance. This report, duly certified, shall be addressed to the competent Ministry and to the General Customs Administration.

Article 67.- Once its operations have been launched, any enterprise benefiting from customs duty and fiscal exemptions on imports, shall forward to the competent service of the competent Ministry its plan for the use of raw materials and all other items received duty free as well as its production schedule, for comments and audit.

Article 68.- Companies benefiting from customs duty and fiscal exemptions may not engage in the trade of merchandise imported duty free or of merchandise similar to that received duty free, barring exceptions provided for in Article 70 of this Code.

Article 69.- Any enterprise considering the sale, disposal, transfer or use for purposes other than those provided for, of the merchandise imported duty free must previously obtain authorization from the competent Ministry as well as that of the Economy and Finance Ministry. The sale and transfer to another enterprise benefiting from similar exemptions shall not incur the levying of any taxes. In cases where the same operations are implemented for the benefit of companies which are not concerned by this Code, the beneficiary may not take possession of the property concerned until appropriate customs duties and other taxes have been paid.

Article 70.- In both of the cases mentioned in the preceding clause, the operation implemented must be registered on the stock book accompanied by the date of authorization by the competent Ministry as well as the numbers and payment dates of the tax invoice payment for which a receipt has been given, as the case may be.

Article 71.- Companies enjoying the benefits provided for by this Code must submit to the competent Ministry once a year, in a time limit which shall not exceed three (3) months following the closing of their fiscal year, a report on its financial status, the progress of its installation process, its

employment and professional training situation as well as any extension project under consideration for the following fiscal year.

Article 72.- Any enterprise enjoying incentive benefits that is considering modifying its investment, employment, orders for imported goods or production program which had been approved at the time of its application for admission into the arrangement, must as soon as possible advise the Ministry concerned of such for its information and for a sound evaluation of the justification for the changes to be implemented and of their possible consequences.

CHAPTER VI MONITORING

Article 73.- Companies enjoying the benefits provided for in this Code shall undergo regular audits intended to ensure that their operations are taking place according to the prescriptions of the law and to the commitments made. This audit shall be undertaken, on the one hand, by the respective Ministries concerned and on the other hand by the Economy and Finance Ministry.

For this purpose, the companies concerned must scrupulously maintain all books required in the prescribed form. They shall give duly mandated agents from the abovementioned institutions free access to their establishments and shall submit on request all books, documents and supporting documents or information necessary in efficiently accomplishing their task. The confidential nature of the information provided shall be strictly abided by and the auditors sworn in and legally beholden to professional confidentiality.

CHAPTER VII SANCTIONS

Article 74.- In the event of non-compliance with the responsibilities entered into by this Code, the enterprise proven to be at fault will undergo withdrawal of all incentive benefits. These measures shall be taken by the Inter-Departmental Commission on Investments on the request of the competent institutions from the Ministries concerned, and the enterprise shall not be entitled to claims for compensation and no restrictions shall be brought on possible penal sanctions.

Article 75.- In the event that sanctions be brought against a company, the various administrative agencies shall be notified of the decision to withdraw benefits by the Minister in charge of Economy and Finance. When the

decision to withdraw results in partial suppression or in withdrawal of incentive benefits, invoices for customs duties and taxes shall be issued by fiscal authorities for the period in question.

Article 76.- Any failure to fulfill the duties provided for in Chapter II on responsibilities, in articles 61 et seq. of this Code will render the enterprise at fault and liable to a fine of fifteen thousand gourdes (Gdes. 15,000.00) to five-hundred thousand gourdes (Gdes. 500,000.00) collectible through administrative measures of constraint by the General Tax Service without restrictions on further sanctions provided for by the legislation in effect.

Article 77.- Any sale, disposal or transfer and any type of unforeseen use of the properties exempted which is effected contrary to the provisions of Article 70 shall be considered illegal and fraudulent. The properties so sold, transferred, disposed of or diverted from their destination shall be subject to twice the import duties provided for by the legislations in effect. Collection of these duties shall be effected through administrative measures of constraint in accordance with the laws and regulations in effect.

The offender shall be subject to a fine of 30% of the duties due to be imposed by the Correctional Court on the action and care of the Public Prosecutor, without restrictions on actions that might be brought against accomplices.

These fines shall be collected by the General Tax Service and payable to the Public Treasury. In the event of repeat offenses, the offender shall be sentenced to pay 100% of the duties due, over and above payment of doubled duties and the incentive benefits granted to the enterprise by virtue of this Code shall automatically be revoked.

Article 78.- Similarly, any action that may or that has resulted in undue exonerations such as false statements concerning for example the number, the characteristics, the cost and the destination of exonerated goods, falsifying supporting documents, illicit trade or diversion of materials, shall be subject to the same actions and sanctions as listed above. Accomplices shall be subject to the same sanctions as perpetrators.

TITLE VI TRANSITORY AND FINAL PROVISIONS

CHAPTER I TRANSITORY PROVISIONS

Article 79.- The Inter-Departmental Commission on Investments shall be instituted within thirty (30) days following the publication of this text in the

official journal of the Republic of Haiti, on the care of the Minister of the Economy and Finance.

Article 80.- In order to ensure the implementation and application of the provisions of this Code, within fifteen (15) days following the publication of the Code, an Implementation Committee shall be created on the care of the Minister of the Economy and Finance.

Article 81.- The Implementation Committee shall be constituted as follows:

- One (1) representative of the Minister in charge of the Economy and Finance;
- One (1) representative of the Minister in charge of Commerce and Industry;
- One (1) representative of the Minister in charge of Tourism;
- One (1) representative of the Minister in charge of Agriculture, Natural Resources and Rural Development;
- One (1) representative of the Minister in charge of Social Services;
- One (1) representative of the Minister in charge of Planning and External Cooperation.

Article 82.- Active companies, which benefit from the preferred arrangements, shall remain as beneficiaries of the approved arrangements until expiry of the benefit period agreed upon.

CHAPTER II FINAL PROVISIONS

Article 83.- This Code repeals all laws or all provisions of laws, all executive order laws or provisions of executive order laws which conflict with it and shall be published and executed on the care of the Ministers of the Economy and Finance, of Commerce and Industry, of Agriculture, Natural Resources and Rural Development, of Social Services, of Tourism, respectively.

Passed in the Chamber of Deputies on September 9, 2002, 199th Year of Independence.

(S)	Dr. Rudy HERIVEAUX	President
	Berry JOSEPH	First Secretary
	André Jeune JOSEPH	Second Secretary

Passed in the Senate of the Republic on August 22, 2002, 199th Year of Independence

(S)	Dr. Jean Marie Fourel CELESTIN	President
	Dr. Louis Gérald GILLES	First Secretary
	Youseline A. BELL	Second Secretary

ON BEHALF OF THE REPUBLIC

Witnesseth,

THE PRESIDENT OF THE REPUBLIC ORDERS THAT THE ABOVE LAW OF THE LEGISLATIVE BODY BE SEALED WITH THE SEAL OF THE REPUBLIC, PRINTED, PUBLISHED AND EXECUTED.

Given at the National Palace, in Port-au-Prince, on October 9, 2002, 199th Year of Independence.

By the President: Jean-Bertrand ARISTIDE
 The Prime Minister: Yvon NEPTUNE
 The Minister of the Interior and Territorial Collectivities: Jocelerme PRIVERT
 The Minister of the Economy and Finance: Faubert GUSTAVE
 The Minister of Justice and Public Security: Calixte DELATOUR
 The Minister of Foreign and Religious Affairs: Joseph Philippe ANTONIO
 The Minister of Public Works, Transportation and Communications: Harry CLINTON
 The Minister of National Education, Youth and Sports: Myrto CELESTIN SAUREL
 The Minister of Haitians Living Abroad: Leslie VOLTAIRE
 The Minister of the Environment: Webster PIERRE
 The Minister of Agriculture, Natural Resources and Rural Development: Sébastien HILAIRE
 The Minister of Culture and Communications: Lilas DESQUIRON
 The Minister of Women's Affairs and Women's Rights: Pr. Ginette RIVIERE LUBIN
 The Minister of Tourism: Martine DEVERSON
 The Minister of Social Services and Labor: Eudes ST. PREUX CRAAN
 The Minister of Public Health and Population: Henry Claude VOLTAIRE

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